

ORDINANCE NO. 15,062

AN ORDINANCE vacating portions of the 6th Avenue right-of-way and of the East/West alley right-of-way adjoining the Des Moines Building at 405 6th Avenue and 513 Locust Street.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated; NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That portions of the 6th Avenue right-of-way and of the East/West alley right-of-way adjoining the Des Moines Building at 405 6th Avenue and 513 Locust Street, more specifically described as follows, be and are hereby vacated:

The subsurface area lying below the top surface of the public sidewalk within the East 14.0 feet of the 6th Avenue right-of-way lying West of and adjoining the North 26.5 feet of Lot 4, in Block C, in Commissioner's Addition to Fort Des Moines, an Official Plat; and, the subsurface area lying below the pavement within the South 11.0 feet of the East/West alley right-of-way lying North of and adjoining the West 58.5 feet of said Lot 4, and lying below the pavement within the East 14.0 feet of the 6th Avenue right-of-way lying West of and adjoining the said South 11.0 feet of the said East/West alley, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause a certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and

publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 11-1900), passed by the City Council of said City at a meeting held November 7, 2011 signed by the Mayor on November 7, 2011 and published as provided by law in the Business Record on November 25, 2011. Authorized by Publication Order No. 7772.

Diane Rauh, City Clerk