

ORDINANCE NO. 15,077

AN ORDINANCE vacating segments of Southwest Water Street and Market Street right-of-way located in the block bound by Vine, Southwest Water, Market and Southwest 2<sup>nd</sup> Streets.

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:

Sec. 1. That segments of Southwest Water Street and Market Street right-of-way located in the block bound by Vine, Southwest Water, Market and Southwest 2<sup>nd</sup> Streets, more specifically described as follows, be and is hereby vacated:

THE SOUTHWESTERLY 4.32 FEET OF SOUTHWEST WATER STREET RIGHT-OF-WAY, EXCEPT THE NORTHWESTERLY 2.43 FEET, LYING NORTHEASTERLY OF AND ADJOINING BLOCK 36, FORT DES MOINES, AN OFFICIAL PLAT, AND THE SOUTHWESTERLY 4.32 FEET OF SOUTHWEST WATER STREET RIGHT-OF-WAY LYING NORTHEASTERLY OF THE NORTHWESTERLY 2.43 FEET OF MARKET STREET RIGHT-OF-WAY, LYING SOUTHEASTERLY OF AND ADJOINING SAID BLOCK 36, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

THE NORTHWESTERLY 2.43 FEET OF MARKET STREET RIGHT-OF-WAY, EXCEPT THE SOUTHWESTERLY 4.32 FEET, LYING SOUTHEASTERLY OF AND ADJOINING BLOCK 36, FORT DES MOINES, AN OFFICIAL PLAT, 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 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:

Glenna K. Frank, 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. 12-0120), passed by the City Council of said City at a meeting held January 23, 2012 signed by the Mayor on January 23, 2012 and published as provided by law in the Des Moines Register on January 28, 2012. Authorized by Publication Order No. 7856.

Diane Rauh, City Clerk