

ORDINANCE NO. 15,085

AN ORDINANCE vacating a portion of Southwest 8th Street east of and adjoining 729 Bell Avenue and west of the travelled, improved portion of the 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:

Sec. 1. That a portion of Southwest 8th Street east of and adjoining 729 Bell Avenue and west of the travelled, improved portion of the street, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF SW 8TH STREET RIGHT OF WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 46 FEET EAST OF THE NORTHWEST CORNER OF LOT 6 HATTON ACRES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA; THENCE SOUTHWESTERLY TO A POINT 50 FEET SOUTH OF AND 48 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 6; THENCE CONTINUING SOUTH TO A POINT ON THE SOUTH LOT LINE 48 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 6; THENCE CONTINUING WEST ON SAID SOUTH LOT LINE, TO A POINT 60 FEET WEST OF SAID SOUTHEAST CORNER OF LOT 6; THENCE CONTINUING NORTH, APPROXIMATELY 202 FEET TO A POINT THAT IS 26 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 6; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 6 TO THE POINT OF BEGINNING.

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. 12-0338), passed by the City Council of said City at a meeting held February 27, 2012 signed by the Mayor on February 27, 2012 and published as provided by law in the Business Record on March 16, 2012. Authorized by Publication Order No. 7793.

Diane Rauh, City Clerk