

ORDINANCE NO. 15,108

AN ORDINANCE vacating a subsurface portion of East Walnut Street adjoining the property locally known as 101 East 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:

Sec. 1. That a subsurface portion of East Walnut Street adjoining the property locally known as 101 East Locust Street, more specifically described as follows, be and is hereby vacated.

A RECTANGULAR PORTION OF THE EAST WALNUT STREET RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 10, BLOCK F, SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, ALL MORE ACCURATELY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK F, IN SAID SCOTT AND DEAN'S ADDITION; THENCE NORTH 74°(DEGREES)29'(MINUTES)16"(SECONDS) EAST ASSUMED FOR THIS DESCRIPTION ALONG THE SOUTH LINE OF BLOCK F OF SAID SCOTT AND DEAN'S ADDITION, A DISTANCE OF 166.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 74°29'16" EAST ALONG THE SOUTH LINE OF SAID BLOCK F, A DISTANCE OF 45.00 FEET; THENCE SOUTH 15°30'44" EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 74°29'16" WEST PARALLEL WITH AND 6.00 FEET SOUTH OF THE SOUTH LINE OF SAID BLOCK F, A DISTANCE OF 45.00 FEET; THENCE NORTH 15°30'44" WEST, A DISTANCE OF 6.00 FEET 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. 12-0832), passed by the City Council of said City at a meeting held May 21, 2012 signed by the Mayor on May 21, 2012 and published as provided by law in the Business Record on June 8, 2012. Authorized by Publication Order No. 7916.

Diane Rauh, City Clerk