

ORDINANCE NO. 15,224

AN ORDINANCE vacating an additional portion of Court Avenue adjoining the Court Avenue Brewing Co., restaurant at 309 Court Avenue for use as a sidewalk cafe.

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, as follows:

Section 1. That a portion of the Court Avenue right-of-way adjoining the Court Avenue Brewing Co., restaurant at 309 Court Avenue, more specifically described as follows, be and is hereby vacated:

The North 9.5 feet of the Court Avenue right-of-way lying southerly of and adjoining the westerly 30.3 feet of Lot 7, Block 24, Town of 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:

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. 13-1592), passed by the City Council of said City at a meeting held October 7, 2013 signed by the Mayor on October 7, 2013 and published and provided by law in the Business Record on October 25, 2013. Authorized by Publication Order No. 8632 .

Diane Rauh, City Clerk