

ORDINANCE NO. 15,247

AN ORDINANCE vacating a segment of East 26th Street right-of-way lying west of and adjoining 2597 Dean Avenue.

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 segment of East 26th Street right-of-way lying west of and adjoining 2597 Dean Avenue, more specifically described as follows, be and is hereby vacated:

THE EAST 11.21 FEET OF THE SOUTH 55.6 FEET OF ALL THAT PART OF EAST 26TH STREET RIGHT-OF-WAY LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF DEAN AVENUE, AS IT IS PRESENTLY ESTABLISHED, AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND, AND PACIFIC RAILROAD, AS IT IS PRESENTLY ESTABLISHED, BEING PART OF THE OFFICIAL PLAT OF THE SOUTH HALF (1/2) OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., 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. 13-2009), passed by the City Council of said City at a meeting held December 23, 2013 signed by the Mayor on December 23, 2013 and published and provided by law in the Business Record on January 10, 2014. Authorized by Publication Order No. 8755.

Diane Rauh, City Clerk