

ORDINANCE NO. 15,335

AN ORDINANCE vacating air space over East Walnut Street and East 2nd Street rights-of-way adjoining 210 East Walnut 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 air space over East Walnut Street and East 2nd Street rights-of-way adjoining 210 East Walnut Street, more specifically described as follows, be and is hereby vacated:

All of the air space for that part of East 2nd Street and East Walnut Street Right-of-Ways adjoining BLOCK "G" of SCOTT & DEAN'S ADDITION to EAST FORT DES MOINES, an Official Plat, now included and forming a part of the City of Des Moines, Iowa and described as follows:

Beginning at the Southwest Corner of LOT 1 of BLOCK "G" of SCOTT & DEAN'S ADDITION to EAST FORT DES MOINES, an Official Plat; thence North 80°06'16" East, 100.77 feet along the North Right-of-Way Line of said East Walnut Street; thence South 74°38'57" West, 102.35 feet; thence North 15°10'58" West, 153.23 feet; thence North 74°38'57" East, 2.00 feet to a point on the East Right-of-Way Line of said East 2nd Street and the West Line of said BLOCK "G"; thence South 15°10'58" East, 143.65 feet along the East Right-of-Way Line of said East 2nd Street and along said West Line to the Point of Beginning, containing 787 Square Feet; located above a plane with an elevation of 53.00 feet (City of Des Moines Datum) and below a plane with an elevation of 89.00 feet (City of Des Moines Datum). Existing ground elevation equals 21.8 feet (City of Des Moines Datum).

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:

Cori Kuhn Coleman, 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. 14-1962), passed by the City Council of said City at a meeting held December 22, 2014 signed by the Mayor on December 22, 2014 and published and provided by law in the Business Record on January 9, 2015. Authorized by Publication Order No. 8293.

Diane Rauh, City Clerk