

ORDINANCE NO. 15,570

AN ORDINANCE vacating a portion of Mulberry Street and 12th Street rights-of-way adjoining 121 12th 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 Mulberry Street and 12th Street rights-of-way adjoining 121 12th Street, more specifically described as follows, be and is hereby vacated:

12th Street

Commencing at the Northwest corner of said Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES; thence South 15°26'05" East, 67.17 feet along the East right-of-way line of said 12th Street, also being West line of said Block 23, to the Point of Beginning; thence continuing South 15°26'05" East, 5.00 feet along the East right-of-way line of said 12th Street; thence South 74°33'55" West, 5.00 feet; thence North 15°26'05" West, 5.00 feet; thence North 74°33'55" East, 5.00 feet to the point of beginning.

Containing 25.00 square feet.

Mulberry Street

Commencing at the Northwest corner of said Block 23 of KEENE & POINDEXTER'S ADDITION TO FORT DES MOINES; thence North 74°14'27" East, 43.48 feet along the South right-of-way line of said Mulberry Street, also being North line of said Block 23, to the Point of Beginning; thence North 15°45'33"W, 5.00 feet; thence North 74°14'27 East, 5.00 feet; thence South 15°45'33" East, 5.00 feet to the South right-of-way line of said Mulberry Street; thence South 74°14'27" West, 5.00 feet along the South right-of-way line of said Mulberry Street to the point of beginning.

Containing 25.00 square feet.

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. Planters or other City-approved barriers shall be placed and maintained on each side of all door swings within the above-described property for the protection of pedestrian traffic.

Sec. 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Lisa A. Wieland, 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. 17- 0601), passed by the City Council of said City at a meeting held April 3, 2017 signed by the Mayor on April 3, 2017 and published and provided by law in the Business Record on April 21, 2017. Authorized by Publication Order No. 9974.

Diane Rauh, City Clerk