

ORDINANCE NO. 15,601

AN ORDINANCE vacating surface rights and subsurface rights in portions of Southeast 6th Street and Southeast 7th Street right-of-way adjoining 201 Southeast 6th 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 surface rights and subsurface rights in portions of Southeast 6th Street and Southeast 7th Street right-of-way adjoining 201 Southeast 6th Street, more specifically described as follows, be and is hereby vacated:

SUBSURFACE RIGHTS

THE EAST 2.00 FEET OF THE SOUTHEAST 6TH STREET RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO LOTS 1 THROUGH 5, BLOCK 29, TOWN OF DE MOINE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

And

SURFACE RIGHTS

THE WEST 5.00 FEET OF THE SOUTHEAST 7TH STREET RIGHT-OF-WAY LYING EAST OF AND ADJACENT TO LOTS 6 THROUGH 10, BLOCK 29, TOWN OF DE MOINE, AN OFFICIAL PLAT, 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:

Thomas G. Fisher Jr., 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- 1413), passed by the City Council of said City at a meeting held **August 14**, 2017 signed by the Mayor on **August 14**, 2017 and published and provided by law in the Business Record on **September 1**, 2017. Authorized by Publication Order No. 10078.

Diane Rauh, City Clerk