

ORDINANCE NO. 15,669

AN ORDINANCE vacating the east/west alley right-of-way located north of and adjoining 304 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 the east/west alley right-of-way located north of and adjoining 304 East Walnut Street, more specifically described as follows, be and is hereby vacated:

ALL OF THE EAST-WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 1 THROUGH 6, STEWART AND HUEGLES SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,056 SQUARE FEET.

SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

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, further subject to the requirement that any future use of the vacated right-of-way be in accordance with all Site Plan policies, such as the design guidelines applicable in the C-3B and D-O Districts or any applicable zoning that may be adopted, and further subject to review by all applicable boards and commissions, as determined by the City's Planning Administrator, including but not limited to the City's Plan and Zoning Commission, the City's Urban Design Review Board, and the Des Moines City Council.

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:

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.18-0932), passed by the City Council of said City at a meeting held May 21, 2018 signed by the Mayor on May 21, 2018 and published and provided by law in the Business Record on June 8, 2018. Authorized by Publication Order No. 10335.

Diane Rauh, City Clerk