

ORDINANCE NO. 15,674

AN ORDINANCE vacating subsurface rights in the west 2 feet of East 2nd Street right-of-way, and the subsurface rights in the south 2 feet of East Grand Avenue right-of-way adjoining 111 East Grand 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 subsurface rights in the west 2 feet of East 2nd Street right-of-way, and the subsurface rights in the south 2 feet of East Grand Avenue right-of-way adjoining 111 East Grand Avenue, more specifically described as follows, be and is hereby vacated:

THE EAST 2ND STREET PUBLIC RIGHT OF WAY LYING DIRECTLY ADJACENT TO PARCEL 2016-20, BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 15934, PAGE 39, AT THE POLK COUNTY RECORDERS OFFICE IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS:

THE WEST 2.0 FEET OF SAID VACATED RIGHT-OF-WAY LYING DIRECTLY ADJACENT TO THE EAST LINE OF SAID PARCEL 2016-20; ALL CONTAINING 566 SQUARE FEET MORE OR LESS.

AND

THE EAST GRAND AVENUE PUBLIC RIGHT OF WAY LYING DIRECTLY ADJACENT TO PARCEL 2016-20, BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 15934, PAGE 39, AT THE POLK COUNTY RECORDERS OFFICE IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS:

THE SOUTH 2.0 FEET OF SAID VACATED RIGHT-OF-WAY LYING DIRECTLY ADJACENT TO THE NORTH LINE OF SAID PARCEL 2016-20; ALL CONTAINING 720 SQUARE FEET MORE OR LESS.

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:

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. 18-1037), passed by the City Council of said City at a meeting held June 11, 2018 signed by the Mayor on June 11, 2018 and published and provided by law in the Business Record on June 29, 2018. Authorized by Publication Order No. 10412.

Diane Rauh, City Clerk