

ORDINANCE NO. 15,729

AN ORDINANCE vacating segments of Locust Street and east-west alley right-of-way adjoining 1416 Locust 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 segments of Locust Street and east-west alley right-of-way adjoining 1416 Locust Street, more specifically described as follows, be and are hereby vacated:

AREA A

THAT PART OF LOCUST STREET RIGHT-OF-WAY LYING NORTH OF AND ADJACENT TO LOT 5 OF BLOCK 2 OF J.C. SAVERY'S PARK ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 74°09'55" EAST ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 42.87 FEET TO THE POINT OF BEGINNING; THENCE NORTH 15°50'05" WEST, 2.00 FEET; THENCE NORTH 74°09'55" EAST, 6.00 FEET; THENCE SOUTH 15°50'05" EAST, 2.00 FEET TO SAID NORTH LINE; THENCE SOUTH 74°09'55" WEST ALONG SAID NORTH LINE, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 12 S.F.

AREA B

THAT PART OF THE ALLEY RIGHT-OF-WAY LYING SOUTH OF AND ADJACENT TO LOT 5 OF BLOCK 2 OF J.C. SAVERY'S PARK ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 74°09'17" WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 13.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°50'43" EAST, 3.00 FEET; THENCE SOUTH 74°09'17" WEST, 7.00 FEET; THENCE NORTH 15°50'43" WEST, 3.00 FEET TO SAID SOUTH LINE; THENCE NORTH 74°09'17" EAST ALONG SAID SOUTH LINE, 7.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 21 S.F.

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- 1948), passed by the City Council of said City at a meeting held November 19, 2018 signed by the Mayor on November 19, 2018 and published and provided by law in the Business Record on December 7, 2018. Authorized by Publication Order No.10557.

Diane Rauh, City Clerk