

ORDINANCE NO. 15,804

AN ORDINANCE vacating a portion of East 5th Street right-of-way lying east of and adjoining 120 East 5th 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 East 5th Street right-of-way lying east of and adjoining 120 East 5th Street, more specifically described as follows, be and is hereby vacated:

A PART OF THE E. 5TH STREET RIGHT-OF-WAY LYING EAST OF PARCEL 2017-207, FILED IN BOOK 16761, PAGE 952 OF THE POLK COUNTY RECORDER'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2017-207; THENCE NORTH 15°04'38" WEST ALONG THE EAST LINE OF SAID PARCEL 2017-207, A DISTANCE OF 13.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 15°04'38" WEST ALONG SAID EAST LINE, 19.00 FEET; THENCE NORTH 74°55'22" EAST, 15.17 FEET; THENCE SOUTH 15°04'38" EAST, 19.00 FEET; THENCE SOUTH 74°55'22" WEST, 15.17 FEET TO THE POINT OF BEGINNING, AND CONTAINING 288 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. 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. 19-1540), passed by the City Council of said City at a meeting held September 23, 2019 signed by the Mayor on September 23, 2019 and published and provided by law in the Business Record on October 11, 2019. Authorized by Publication Order No. 10794.

Diane Rauh, City Clerk