

ORDINANCE NO. 15,842

AN ORDINANCE vacating east/west alley right-of-way located south of and adjoining 3104 University 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 the east/west alley right-of-way located south of and adjoining 3104 University Avenue, more specifically described as follows, be and is hereby vacated:

ALL OF THE 14-FOOT WIDE ALLEY OF JAMES H. LOPER'S FIRST ADDITION, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 8, SAID JAMES H. LOPER'S FIRST ADDITION; THENCE SOUTH 89°43'50" WEST ALONG THE NORTH LINE OF SAID LOT 8 AND THE NORTH LINE OF LOTS 7 THROUGH 5 OF SAID JAMES H. LOPER'S FIRST ADDITION, 208.88 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 00°04'57" WEST ALONG THE WEST LINE OF SAID JAMES H. LOPER'S FIRST ADDITION, 14.00 FEET TO THE SOUTHWEST CORNER OF LOT 4 OF SAID JAMES H. LOPER'S FIRST ADDITION; THENCE NORTH 89°43'50" EAST ALONG THE SOUTH LINE OF SAID LOT 4 AND THE SOUTH LINE OF LOTS 1 THROUGH 3 OF SAID JAMES H. LOPER'S FIRST ADDITION, 208.90 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00°02'05" EAST ALONG THE EAST LINE OF SAID JAMES H. LOPER'S FIRST ADDITION, 14.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 ACRES (2,924 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, P. Kay Cmelik, 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. 19-1947), passed by the City Council of said City at a meeting held December 2, 2019 signed by the Mayor on December 2, 2019 and published and provided by law in the Business Record on December 20, 2019. Authorized by Publication Order No. 10942.

P. Kay Cmelik, City Clerk