

ORDINANCE NO. 15,958

AN ORDINANCE repealing Ordinance Nos. 11,805 and 15,224 and vacating approximately 636.5 square feet of Court Avenue right-of-way located south of and adjoining 309 Court 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. Ordinance Nos. 11,805 and 15,224 are hereby repealed.

Sec. 2. That a portion approximately 307.08 square feet of Court Avenue right-of-way located south of and adjoining 309 Court Avenue, more specifically described as follows, be and is hereby vacated:

THE NORTH 9.5 FEET OF THE COURT AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 7, BLOCK 24, FORT DES MOINES, AN OFFICIAL PLAT; AND THE NORTH 9.5 FEET OF THE COURT AVENUE RIGHT OF WAY LYING SOUTH OF AND ADJOINING THE WEST 1 FOOT OF LOT 8 IN SAID BLOCK 24; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 636.5 SQUARE FEET.

Sec. 3. 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. 4. 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. 5. 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

Ordinance No. 15,958            cont'd

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. 20-2142), passed by the City Council of said City at a meeting held on December 21, 2020 and signed by the Mayor on December 21, 2020 and published and provided by law in the Business Record on January 8, 2021. Authorized by Publication Order No. 11376.

P. Kay Cmelik, City Clerk