

ORDINANCE NO. 15,964

AN ORDINANCE vacating Garver Street from Southeast 15th Street to Southeast 16th Street, Southeast 16th Street from the north side of the east/west alley between Garver Street and Vale Street to a point 110 feet south of Garver Street, and the east/west alley between Garver Street and Vale Street from Southeast 15th Street to Southeast 16th 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 Garver Street from Southeast 15th Street to Southeast 16th Street, Southeast 16th Street from the north side of the east/west alley between Garver Street and Vale Street to a point 110 feet south of Garver Street, and the east/west alley between Garver Street and Vale Street from Southeast 15th Street to Southeast 16th Street, more specifically described as follows, be and is hereby vacated:

ALL OF THE GARVER STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 73 THROUGH 90, AND ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 55 THROUGH 72, AND ALL THAT PART OF THE SOUTHEAST 16TH STREET RIGHT OF WAY LYING SOUTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 54 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 16 FEET OF SAID LOT 90, ALL IN GRAY'S SUBDIVISION OF BLOCK 61, BROOKS AND CO'S ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1.59 ACRES (69,338 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. 21-0047), passed by the City Council of said City at a meeting held on January 11, 2021 and signed by the Mayor on January 11, 2021 and published and provided by law in the Business Record on January 29, 2021. Authorized by Publication Order No. 11382.

P. Kay Cmelik, City Clerk