

ORDINANCE NO. 16,128

AN ORDINANCE vacating a portion of the east-west ally right-of-way located south of and adjoining 1819 43rd 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 the east-west ally right-of-way located south of and adjoining 1819 43rd Street, more specifically described as follows, be and is hereby vacated:

LOT B, HAZELWOOD, AN OFFICIAL PLAT, **-EXCEPT** THE SOUTH HALF (S 1/2) OF SAID LOT B LYING WEST OF THE NORTHERLY EXTENSION OF EAST LINE OF THE WEST HALF (W 1/2) OF LOT 13 IN FLEETWOOD, AN OFFICIAL PLAT-,

AND

ALL THAT PART OF LOT A IN SAID HAZEL WOOD LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT B AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF SAID LOT B,

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,734 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. 22-0813), passed by the City Council of said City at the meeting held on May 23, 2022, and signed by the Mayor on May 23, 2022, and published and provided by law in the Business Record on June 10, 2022. Authorized by Publication Order No. 11920.

P. Kay Cmelik, City Clerk