

ORDINANCE NO. 16,143

AN ORDINANCE vacating a segment of Southwest 17<sup>th</sup> Street right-of-way and a segment of Wabash Street right-of-way located south of West Martin Luther King, Jr. Parkway and west of Southwest 16<sup>th</sup> 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 segment of Southwest 17<sup>th</sup> Street right-of-way and a segment of Wabash Street right-of-way located south of West Martin Luther King, Jr. Parkway and west of Southwest 16<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

A PART OF SOUTHWEST 17<sup>TH</sup> STREET RIGHT OF WAY AND A PART OF WABASH STREET RIGHT OF WAY ADJOINING BLOCK 4, CITY PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER SAID BLOCK 4; THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 4 TO THE NORTH LINE OF LOT 1, DICO PLAT NO.1, AN OFFICIAL PLAT, SAID NORTH LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF WABASH STREET; THENCE WEST ALONG SAID NORTH LINE TO A CORNER OF SAID LOT 1, SAID CORNER ALSO BEING THE INTERSECTION OF WEST RIGHT OF WAY OF SOUTHWEST 17<sup>TH</sup> STREET AND SAID SOUTH RIGHT OF WAY LINE OF WABASH STREET; THENCE NORTH ALONG AN EASTERLY LINE OF SAID LOT 1 AND ALONG SAID WEST RIGHT OF WAY LINE TO THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF SOUTHWEST 17<sup>TH</sup> STREET AND THE SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARKWAY, SAID SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARK WAY BEING DESCRIBED AND RECORDED IN BOOK 12736 PAGE 582 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA; THENCE EAST ALONG A STRAIGHT LINE TO THE INTERSECTION OF THE WEST LINE OF SAID BLOCK 4 AND SAID SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARKWAY; THENCE SOUTH ALONG SAID WEST LINE OF SAID BLOCK 4 TO THE SOUTH LINE OF SAID BLOCK 4; THENCE EAST ALONG SAID SOUTH LINE OF SAID BLOCK 4 TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 0.60 ACRES (26,158 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: Mackenzie L. Moreno, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, Acting 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.22-1039), passed by the City Council of said City at the meeting held on June 27, 2022 and signed by the Mayor on June 27, 2022 and published and provided by law in the Business Record on July 15, 2022 Authorized by Publication Order No. 11987.

Laura Baumgartner, Acting City Clerk