

ORDINANCE NO. 16,145

AN ORDINANCE vacating a portion of East 2nd Street right-of-way located east of and adjoining 111 East Grand 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 a portion of East 2nd Street right-of-way located east of and adjoining 111 East Grand Avenue, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND IN THE EAST 2ND STREET PUBLIC RIGHT OF WAY LYING EAST OF AND DIRECTLY ADJACENT TO PARCEL 2016-20 OF BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 15934, PAGE 39, AT THE POLK COUNTY RECORDERS OFFICE IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL '2016-20'; THENCE S15°21'53"E, 3.17 FEET ALONG THE EAST LINE OF SAID PARCEL '2016-20' TO THE POINT OF BEGINNING; THENCE CONTINUING S15°21'53"E, 34.00 FEET ALONG SAID EAST LINE TO A POINT; THENCE N74°38'07"E, 8.80 FEET TO A POINT; THENCE N15°21'53"W, 34.00 FEET ALONG A LINE THAT IS 8.80 FEET EAST OF AND PARALLEL TO SAID EAST LINE OF PARCEL '2016-20' TO A POINT; THENCE S74°38'07"W, 8.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 299 SQUARE FEET MORE OR LESS.

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. 22-1045), 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. 11989.

Laura Baumgartner, Acting City Clerk