

ORDINANCE NO. 16,153

AN ORDINANCE vacating portions of East Walnut Street right-of-way adjoining 317 East 6th 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 East Walnut Street right-of-way adjoining 317 East 6th Street, more specifically described as follows, be and is hereby vacated:

THAT PART OF E WALNUT STREET PUBLIC RIGHT OF WAY BEING SOUTH OF AND ADJOINING LOT 2, SARAH J. GRIFFITH'S SUBDIVISION, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, SAID SARAH J. GRIFFITH'S SUBDIVISION; THENCE NORTH 74°57'02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 AND LOT 2 OF SAID SARAH J. GRIFFITH SUBDIVISION, 24.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 74°57'02" EAST ALONG SAID SOUTH LINE OF LOT 2, A DISTANCE OF 14.79 FEET; THENCE SOUTH 15°02'58" EAST, 3.24 FEET; THENCE SOUTH 74°57'02" WEST, 14.79 FEET; THENCE NORTH 15°02'58" WEST, 3.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 48 SQUARE FEET LYING BETWEEN ELEVATIONS 41.20 AND 104.53 FEET CITY OF DES MOINES VERTICAL DATUM (REFERENCE GROUND ELEVATION OF 30.25 FEET BEING THE FINISH FLOOR ELEVATION OF THE EAST PEDESTRIAN ENTRANCE FROM THE PROPOSED BUILDING TO E WALNUT STREET;

AND

THE NORTH 1.00 FOOT OF E WALNUT STREET PUBLIC RIGHT OF WAY BEING SOUTH OF AND ADJOINING LOTS 1 THROUGH 7, SARAH J. GRIFFITH'S SUBDIVISION, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 150 SQUARE FEET;

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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. 22-1172), passed by the City Council of said City at the meeting held on July 18, 2022 and signed by the Mayor on July 18, 2022 and published and provided by law in the Business Record on August 5, 2022 Authorized by Publication Order No. 12024.

Laura Baumgartner, Acting City Clerk