

ORDINANCE NO. 16,213

AN ORDINANCE vacating the east-west undeveloped segment of East Fulton Drive right-of-way within Stone Park at 2100 Southeast 5th 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 the east-west undeveloped segment of East Fulton Drive right-of-way within Stone Park at 2100 Southeast 5th Street, more specifically described as follows, be and is hereby vacated:

-EXCEPT THE EAST 60 FEET- AND **-EXCEPT** THE WEST 60 FEET-, ALL THAT PART OF LOT E (EAST FULTON DRIVE) LYING NORTH OF AND ADJOINING LOT 46, CRAWFORD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.23 ACRES (9,983 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, 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. 23-0054), passed by the City Council of said City at the meeting held on January 9, 2023 and signed by the Mayor on January 9, 2023 and published and provided by law in the Business Record on January 27, 2023. Authorized by Publication Order No. 12183.

Laura Baumgartner, City Clerk