

ORDINANCE NO. 16,454

AN ORDINANCE vacating surface rights in portions of College Avenue right-of-way adjoining 1601 6th 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 the surface rights in portions of College Avenue right-of-way adjoining 1601 6th Avenue, more specifically described as follows, be and is hereby vacated:

PART OF THE RIGHT-OF-WAY OF COLLEGE AVENUE BEING PART OF THE SOUTH 30 FEET OF LOT 12 IN BLOCK 3 OF THE OFFICIAL PLAT OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 34, TOWNSHIP 79 NORTH, RANGE 24 WEST, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH 45 FEET OF THE SOUTH 75 FEET OF THE WEST 84 FEET OF SAID LOT 12, BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE AND THE EAST RIGHT-OF-WAY LINE OF 6TH AVENUE; THENCE SOUTH 89°46'59" EAST, 0.76 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°46'59" EAST, 60.84 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE; THENCE SOUTH 00°13'01" WEST, 1.25 FEET; THENCE NORTH 89°46'59" WEST, 60.84 FEET; THENCE NORTH 00°13'01" EAST, 1.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 76 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: Grant Hyland, Assistant City Attorney

Connie Boesen, 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. 25-0600), passed by the City Council of said City at the meeting held on April 21, 2025 and signed by the Mayor on April 21, 2025 and published and provided by law in the Business Record on May 9, 2025. Authorized by Publication Order No. 12984.

Laura Baumgartner, City Clerk