



Roll Call Number

Agenda Item Number

39A

Date April 20, 2020

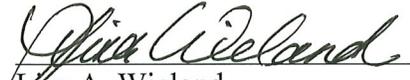
An Ordinance entitled, "AN ORDINANCE permanently vacating segments of East Market Street and Southeast 15th Street right-of-way",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

ORDINANCE NO. _____

AN ORDINANCE vacating segments of East Market Street and Southeast 15th Street right-of-way.

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 segments of East Market Street and Southeast 15th Street right-of-way, more specifically described as follows, be and is hereby vacated:

East Market Street between SE 14TH Street and SE 18TH Street

-EXCEPT THE WEST 60 FEET THEREOF- ALL THAT PART OF EAST MARKET STREET RIGHT OF WAY LYING EAST OF THE WEST LINE OF BROOKS AND COS ADDITION, AN OFFICIAL PLAT, AND LYING WEST OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 18TH STREET, ALL IN SAID BROOKS AND COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 4.68 ACRES (203,985 SQUARE FEET).

SE 15th Street between East Market Street and East MLK Jr Pkwy

-EXCEPT THAT PART OF THE VACATED SOUTHEAST 15TH STREET RIGHT OF WAY PREVIOUSLY VACATED BY ORDINANCE 15141 AND RECORDED IN BOOK 14557 PAGE 935 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-
ALL THAT PART OF SOUTHEAST 15TH STREET RIGHT OF WAY LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET AS PLATTED, AND LYING NORTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 15 FEET OF LOT 8 IN BENNETT PLACE, AN OFFICIAL PLAT, AND ALL LYING WITHIN BROOKS AND COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY

OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY
0.87 ACRES (38,214 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, including but not limited to the 48-inch Des Moines Water Works feeder main, with the right of entry for servicing same.

Sec. 3. The City of Des Moines hereby reserves rights for continued use of East Market Street for railway purposes by Norfolk Southern Railroad and Iowa Interstate Railroad, as granted by Ordinance No. 62 and 216.

Sec 4. 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. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Lisa A. Wieland
Assistant City Attorney

Johnson Ct

Johnson Ct

E 14th Ct

WEST LINE OF
BROOKS AND
COS ADDITION

E Market St

SE 15th St

SE 15th St

E 15th St

E Martin Luther King Jr Pkwy

SE 15th Ct

SE Astor St

Astor St

BROOKS AND COS ADDITION

E Vine St

E 16th St

E 16th Ct

VACATION EXHIBIT

WEST ROW LINE
OF SE 18TH ST

E Market St

Legend

 AREA TO BE VACATED

39A

VACATION EXHIBIT

E Market St

SOUTH ROW LINE
OF E MARKET ST

**BROOKS AND CO'S
ADDITION**

WEST ROW LINE
OF SE 15TH ST

VAC SE 15TH ST ROW
VAC BY ORD. 15141

EAST ROW LINE
OF SE 15TH ST

EAST LINE OF LOT 8
BENNETT PLACE

BENNETT PLACE

SOUTH LINE OF LOT 8
BENNETT PLACE

15 FT

E Martin Luther King Jr Pkwy

SE 15th St



Legend

 AREA TO BE VACATED

