



Roll Call Number

Agenda Item Number

72A

Date December 20, 2021

An Ordinance entitled, "AN ORDINANCE repealing Ordinance No. 16,055 and vacating the north-south alley right-of-way located west of and adjoining the property at 1010 13th Street",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

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

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.

Mayor

City Clerk

ORDINANCE NO. _____

AN ORDINANCE repealing Ordinance No.16,055 and vacating the north-south alley right-of-way west of and adjoining the property at 1010 13th 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. The Ordinance No. 16,055 is hereby repealed.

Sec. 2. That a portion of the north-south alley right-of-way west of and adjoining the property at 1010 13th Street, more specifically described as follows, be and is hereby vacated:

A PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 4, BLOCK F, DAY'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 82.78 FEET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO A POINT ON THE EAST LINE OF LOT 5 IN SAID BLOCK F, SAID POINT BEING 83.22 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 5; THENCE NORTH ALONG SAID EAST LINE OF SAID LOT 5 TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE EAST ALONG A STRAIGHT LINE TO THE NORTHWEST CORNER OF SAID LOT 4 AND THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 0.03 ACRES (1271 SQUARE FEET).

Sec. 3. 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. 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