

ORDINANCE 1926

AN ORDINANCE VACATING A 45-FOOT SANITARY SEWER EASEMENT ASSOCIATED WITH THE DEVELOPMENT OF BILL KIMBERLEY PLAT 1 FINAL PLAT

WHEREAS, pursuant to notice published in the manner required by law, on the 2nd day of October, 2017, this Council held a public hearing on a proposal to vacate a 45-foot Sanitary Sewer Easement associated with the development of Bill Kimberley Plat 1 final plat as shown on the attached Easement Vacation Exhibit hereafter described; and

WHEREAS, this Council finds that all public purpose served by these easements will be replaced with other easements; and

WHEREAS, this Council has determined that it is in the best interest of the citizens of Ankeny that said easements be vacated.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Ankeny, Iowa, as follows:

Section 1. The City of Ankeny does hereby vacate and release the following:

SANITARY SEWER EASEMENT VACATION DESCRIPTION:

A PART OF LOT 1, CASEY PARK PLAT 1 BEING AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA AND A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., BEING A 45.00 FEET WIDE EASEMENT CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89° 56' 05" WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 48.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 22° 23' 00" WEST, 241.40 FEET; THENCE SOUTH 32° 53' 00" WEST, 277.06 FEET TO THE POINT OF TERMINUS. EASEMENT EXTENDS AND SHORTENS TO BEGIN AT SAID NORTH LINE OF LOT 1.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be in effect upon its final passage and publication required by law.

PASSED AND APPROVED this ____ day of _____, 2017.

Gary Lorenz, Mayor

Attest:

Pamela DeMouth, City Clerk

**PUBLISHED IN THE
DES MOINES REGISTER
ON THE ____ DAY OF _____, 2017**

**1st Con – 10/02/17 - PHrg.
2nd Con
3rd Con**