

ORDINANCE NO. 13,915

AN ORDINANCE vacating portions of SW 34th Street, SW 32nd Street, McKinley Avenue and Stanton 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:

Section 1. That the following described portions of SW 34th Street, SW 32nd Street, McKinley Avenue and Stanton Avenue, be and are hereby vacated:

32ND STREET VACATION LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 11, AIRPORT HEIGHTS; THENCE NORTH 0°(DEGREES)12'(MINUTES)50"(SECONDS)EAST ALONG THE EAST LINE OF LOTS 9, 10, & 11, AIRPORT HEIGHTS, A DISTANCE OF 321.88 FEET; THENCE SOUTH 89°40'32" EAST, 50.00 FEET TO THE NORTHWEST CORNER OF LOT 8; THENCE SOUTH 0°12'50" WEST ALONG THE WEST LINE OF LOTS 6, 7 & 8, AIRPORT HEIGHTS, A DISTANCE OF 321.87 FEET; THENCE NORTH 89°40'53" WEST, 50.00 FEET TO THE POINT OF BEGINNING, AS SURVEYED BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 16,094 SQUARE FEET.

LEGAL DESCRIPTION: 34th STREET RIGHT OF WAY VACATION

A PART OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 19; THENCE NORTH 89°(DEGREES)48'(MINUTES)36"(SECONDS)WEST, 100.00 FEET; THENCE NORTH 0°11'24" EAST, 2024.36 FEET; THENCE NORTHWEST ALONG A 523.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 89°53'59", A CHORD DISTANCE OF 738.99 FEET, A CHORD BEARING OF NORTH 44°45'35" WEST, FOR AN ARC DISTANCE OF 820.61 FEET; THENCE SOUTH 89°42'35" EAST, 185.95 FEET; THENCE NORTHWEST ALONG A 763.50 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 13°00'17",

A CHORD DISTANCE OF 172.93 FEET, A CHORD BEARING OF NORTH 54°22'47" WEST, FOR AN ARC DISTANCE OF 173.30 FEET; THENCE SOUTH 89°42'35" EAST, 577.04 FEET; THENCE SOUTH 0°11'24" WEST, 2646.27 FEET TO THE POINT OF BEGINNING, AS SURVEYED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW

INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES,
POLK COUNTY, IOWA. BY SURVEY

363,189 SQUARE FEET.

LEGAL DESCRIPTION: MCKINLEY AVENUE RIGHT OF WAY VACATION

A PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 78
NORTH, RANGE 24 WEST OF THE 5TH P.M. AND THE NORTHEAST 1/4
OF SECTION 30, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH
P.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4
OF SAID SECTION 30; THENCE NORTH 0°(DEGREES)11'(MINUTES)
24"(SECONDS)EAST, 284.90 FEET; THENCE SOUTHEAST ALONG A
296.67 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A
CENTRAL ANGLE OF 65°05'43", A CHORD DISTANCE OF 319.22 FEET,
A CHORD BEARING OF SOUTH 32°22'30" EAST, FOR AN ARC
DISTANCE OF 337.05 FEET; THENCE SOUTHEAST ALONG A 68.03
FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL
ANGLE OF 24°45'31", A CHORD DISTANCE OF 29.17 FEET, A CHORD
BEARING OF SOUTH 77°18'07" EAST, FOR AN ARC DISTANCE OF 29.40
FEET; THENCE SOUTH 89°40'53" EAST, 459.38 FEET; THENCE NORTH
0°14'19" EAST, 6.00 FEET; THENCE SOUTH 89°40'53" EAST, 471.84 FEET;
THENCE SOUTHEAST ALONG A 836.50 FOOT RADIUS CURVE
CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 21°59'16" , A
CHORD DISTANCE OF 319.05 FEET, A CHORD BEARING OF SOUTH
77°22'30" EAST, FOR AN ARC DISTANCE OF 321.01 FEET; THENCE
NORTH 89°40'53" WEST, 1443.21 FEET; THENCE NORTH 0°19'07" EAST,
52.00 FEET TO THE POINT OF BEGINNING, AS SURVEYED BY
MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW
INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES,
POLK COUNTY, IOWA. BY SURVEY 94,441 SQUARE FEET.

LEGAL DESCRIPTION: VACATION OF STANTON AVENUE

BEGINNING AT THE NORTHWEST CORNER OF LOT 2, SERENDIPITY
PLAT 3; THENCE NORTH
0°(DEGREES)11'(MINUTES)24"(SECONDS)EAST, 50.00 FEET; THENCE
SOUTH 89°50'40" EAST ALONG THE SOUTH LINE OF LOT 10,
SERENDIPITY PLAT 4, A DISTANCE OF 233.88 FEET; THENCE SOUTH
26°54'43" EAST, 56.15 FEET; THENCE NORTH 89°50'40" WEST ALONG
THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 259.47 FEET TO
THE POINT OF BEGINNING, AS SURVEYED BY MICHAEL M. KLAPP
LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND
FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY,
IOWA. BY SURVEY 12,334 SQUARE FEET.

Sec. 2. All utilities and franchise holders with facilities in place upon the right-of-ways described above are hereby ordered to remove such facilities from said vacated right-of-ways, excepting only facilities for which an easement is hereafter granted by the City of Des Moines upon a determination by the City Engineer that said utility facility does not interfere with the proposed use of the ground by the Des Moines International Airport.

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:

Paul L. White, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Donna Boetel-Baker, 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. 01-271), passed by the City Council of said City at a meeting held January 22, 2001, signed by the Mayor on January 22, 2001, and published as provided by law in the Business Record on February 5, 2001. Authorized by Publication Order No. 1555.

Donna Boetel-Baker, MMC, City Clerk