

ORDINANCE NO. 14,759

AN ORDINANCE vacating the North/South alley right-of-way North of University Avenue and East of 30th 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:

Section 1. That the North/South alley right-of-way North of University Avenue and East of 30th Street, more specifically described as follows, be and is hereby vacated.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, LAWNDALE, AN OFFICIAL PLAT; THENCE SOUTH 89° (DEGREES) 56' (MINUTES) 49" (SECONDS) WEST ALONG AN EXTENSION OF THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 13.00 FEET; THENCE NORTH 0°14'50" WEST ALONG THE EAST LINE OF SAID LOTS 50 THRU 44, A DISTANCE OF 172.73 FEET; THENCE NORTHWEST ALONG A 17.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 56°15'35", A CHORD DISTANCE OF 16.03 FEET, A CHORD BEARING OF NORTH 36°07'07" WEST, FOR AN ARC DISTANCE OF 16.69 FEET; THENCE NORTH 61°21'49" WEST, 5.91 FEET; THENCE NORTHEAST ALONG A 366.00 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 2°30'19", A CHORD DISTANCE OF 16.00 FEET, A CHORD BEARING OF NORTH 28°38'03" EAST, FOR AN ARC DISTANCE OF 16.00 FEET; THENCE SOUTH 61°21'56" EAST, 3.08 FEET; THENCE SOUTHEAST ALONG A 36.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 8°06'28", A CHORD DISTANCE OF 5.09 FEET, A CHORD BEARING OF SOUTH 54°42'51" EAST, FOR AN ARC DISTANCE OF 5.09 FEET; THENCE NORTH 0°15'15" WEST, 15.75 FEET; THENCE NORTHEAST ALONG A 366.00 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 3°40'06", A CHORD DISTANCE OF 23.43 FEET, A CHORD BEARING OF NORTH 33°27'36" EAST, FOR AN ARC DISTANCE OF 23.43 FEET; THENCE SOUTH 0°14'50" EAST ALONG THE WEST LINE OF LOTS 10 THRU 1, A DISTANCE OF 233.42 FEET; TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 3,118 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:

Glenna K. Frank, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 08-730), passed by the City Council of said City at a meeting held April 21, 2008 signed by the Mayor on April 21, 2008 and published as provided by law in the Business Record on May 5, 2008. Authorized by Publication Order No. 6077.

Diane Rauh, City Clerk