

ORDINANCE NO. 15,082

AN ORDINANCE vacating an irregularly shaped segment of East Hartford Avenue right-of-way adjoining 1938 S.E. 6th 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. An irregularly shaped segment of East Hartford Avenue right-of-way adjoining 1938 S.E. 6th Street, Des Moines, more specifically described as follows, be and is hereby vacated.

PARCEL "E" BEING A PART OF THE EAST HARTFORD AVENUE RIGHT-OF-WAY IS DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 10, T78N, R24W OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA; THENCE, N00°11'38"W ALONG THE WEST LINE OF SOUTHEAST 1/4 OF SAID SECTION 10 A DISTANCE OF 39.80 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING N00°11'38"W ALONG THE WEST LINE OF SOUTHEAST 1/4 OF SAID SECTION 10 A DISTANCE OF 26.02 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST HARTFORD AVENUE AND TO THE SOUTHWEST CORNER OF LOT 3 IN SEVASTOPOL, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE, S89°57'03"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID EAST HARTFORD AVENUE A DISTANCE OF 119.50 FEET; THENCE, SOUTHWESTERLY ALONG A 356.01 FOOT RADIUS CURVE CONCAVE SOUTHERLY A DISTANCE OF 122.80 FEET, SAID CURVE HAVING A CHORD BEARING OF S77°45'19"W AND A CHORD LENGTH OF 122.19 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 1,127 SQUARE FEET, MORE OR LESS.

Section 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.

Section 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.

Section 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. 12-0242), passed by the City Council of said City at a meeting held February 13, 2012 signed by the Mayor on February 13, 2012 and published as provided by law in the Business Record on March 2, 2012. Authorized by Publication Order No. 7790.

Diane Rauh, City Clerk