

ORDINANCE NO. 15,097

AN ORDINANCE vacating a segment of Linden Street right-of-way west of 14th 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. That a segment of Linden Street right-of-way west of 14th Street, more specifically described as follows, be and is hereby vacated.

PARCEL "A" OF THE SUBDIVISION OF LOT 5 PURSLEY'S ADDITION TO FORT DES MOINES

THAT PART OF LINDEN STREET OF THE SUBDIVISION OF LOT 5, PURSLEY'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTH LINE OF LINDEN STREET RIGHT-OF-WAY AND BEING THE NORTHWEST CORNER OF LOT 24 OF FOURTEENTH STREET PLACE, AN OFFICIAL PLAT; THENCE SOUTH 89°27'15" EAST ALONG SAID SOUTH LINE AND THE NORTH LINE OF SAID LOT 24, A DISTANCE OF 39.93 FEET TO THE NORTHEAST CORNER OF SAID LOT 24 AND THE POINT OF BEGINNING; THENCE NORTH 52°15'30" EAST, 55.55 FEET; THENCE NORTH 42°37'26" EAST, 42.25 FEET TO THE NORTH LINE OF SAID LINDEN STREET AND THE SOUTH LINE OF LOT 12 OF BLOCK 4 OF SAID SUBDIVISION OF LOT 5 PURSLEY'S ADDITION TO FORT DES MOINES; THENCE SOUTH 89°37'32" EAST ALONG SAID NORTH LINE AND ALONG THE SOUTH LINE OF SAID LOT 12, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 89°30'54" EAST CONTINUING ALONG SAID NORTH LINE AND ALONG THE SOUTH LINE OF LOT 13 AND LOT 14 OF BLOCK 4 OF SAID SUBDIVISION OF LOT 5 PURSLEY'S ADDITION TO FORT DES MOINES, 120.04 FEET TO THE WEST LINE OF 14TH STREET RIGHT-OF-WAY; THENCE SOUTH 0°05'30" EAST ALONG SAID WEST LINE OF 14TH STREET RIGHT-OF-WAY, 66.00 FEET TO SAID SOUTH LINE OF LINDEN STREET RIGHT-OF-WAY AND THE NORTHEAST CORNER OF LOT 27 OF SAID FOURTEENTH STREET PLACE; THENCE NORTH 89°27'15" WEST ALONG SAID SOUTH LINE AND THE NORTH LINE OF SAID LOT 27 AND ALONG THE NORTH LINE OF LOT 26 AND LOT 25 OF SAID FOURTEENTH STREET PLACE, A DISTANCE OF 222.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.28 ACRES (12,083 SF).

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. 12-0549), passed by the City Council of said City at a meeting held April 9, 2012 signed by the Mayor on April 9, 2012 and published as provided by law in the Business Record on April 27, 2012. Authorized by Publication Order No. 7905.

Diane Rauh, City Clerk