

ORDINANCE NO. 15,343

AN ORDINANCE vacating a portion of City right-of-way on the northeast corner of Fleur Drive and Army Post Road.

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 portion of City right-of-way on the northeast corner of Fleur Drive and Army Post Road, more specifically described as follows, be and is hereby vacated:

A PART OF LOTS "D" AND 17, GEIL PLACE AND A PART OF LOTS "A", 1 AND 2, AUDITOR'S PLAT FLEUR PLACE PLAT 2, BOTH BEING AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M.; THENCE NORTH 00° (DEGREES) 05' (MINUTES) 57" (SECONDS) WEST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, 150.00 FEET; THENCE NORTH 89°54' 03" EAST, 50.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FLEUR DRIVE AS PRESENTLY ESTABLISHED; THENCE SOUTH 44°51' 22" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE, 21.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 44°51' 22" EAST , 119.73 FEET; THENCE SOUTH 89°52'01" EAST, 316.07 FEET; THENCE SOUTH 69°36'07" WEST, 370.21 FEET; THENCE NORTH 54°21'23" WEST, 60.17 FEET; THENCE NORTH 01°28'33" WEST, 179.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.73 ACRES (31619 S.F.).

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:

Cori Kuhn Coleman, 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. 15- 0234), passed by the City Council of said City at a meeting held February 9, 2015 signed by the Mayor on February 9, 2015 and published and provided by law in the Business Record on February 27, 2015. Authorized by Publication Order No. 9163.

Diane Rauh, City Clerk