

ORDINANCE NO. 15,416

AN ORDINANCE vacating as parkland approximately .75 acres of real estate in Prospect Park at 1225 Prospect 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 approximately .75 acres of real estate in Prospect Park at 1225 Prospect Road, more specifically described as follows, be and is hereby vacated.

A PART OF LOTS 13 AND 14 IN THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 IN SECTION 27, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH 700 FEET OF SAID LOT 14; THENCE NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID SOUTH 700 FEET OF LOT 14, A DISTANCE OF 274.0 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00°00'00" EAST, 173.3 FEET; THENCE SOUTH 71°00'09" EAST, 286.3 FEET; THENCE SOUTH 0°00'00" WEST, 79.5 FEET TO THE NORTH LINE OF THE SOUTH 700 FEET OF SAID LOT 13; THENCE SOUTH 90°00'00" WEST ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF THE SOUTH 700 FEET OF SAID LOT 14, A DISTANCE OF 272.6 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.79 ACRES (34,452 S.F.)

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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:

Ann DiDonato, 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. 15-1809), passed by the City Council of said City at a meeting held October 26, 2015 signed by the Mayor on October 26, 2015 and published and provided by law in the Business Record on November 13, 2015. Authorized by Publication Order No. 9335.

Diane Rauh, City Clerk