

ORDINANCE NO. 15,457

AN ORDINANCE vacating an irregular parcel of street right-of-way at the southwest corner of the intersection of Indianola Avenue and Indianola Road, adjoining property at 1930 Indianola Avenue and 1941 South Union 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 an irregular parcel of street right-of-way at the southwest corner of the intersection of Indianola Avenue and Indianola Road, adjoining property at 1930 Indianola Avenue and 1941 South Union Street, more specifically described as follows, be and is hereby vacated:

Description (Parcel "C" in SW 1/4 of SW 1/4 SECTION 10-78-24)

PART OF LOT 4, OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M., AND PART OF INDIANOLA ROAD ADJOINING LOT 4 OF SAID OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, AND PART OF INDIANOLA ROAD ADJOINING LOTS 8, 9, 10, 11,12, 13, CLIFTON HEIGHTS, AN OFFICIAL PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE NORTH 69° (DEGREES) 56' (MINUTES) 23" (SECONDS) EAST ALONG THE SOUTHEAST LINE OF SAID LOT 8, TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF INDIANOLA ROAD AS IT IS PRESENTLY ESTABLISHED, 210.90 FEET TO POINT OF BEGINNING; THENCE NORTHWEST ALONG A 374.92 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 15° 50' 24", A CHORD DISTANCE OF 103.32 FEET, A CHORD BEARING OF NORTH 57° 23' 32" WEST, FOR AN ARC DISTANCE OF 103.65 FEET; THENCE NORTHWEST ALONG A 1,403.27 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 11° 58' 00", A CHORD DISTANCE OF 292.55 FEET, A CHORD BEARING OF NORTH 71° 17' 44" WEST, FOR AN ARC DISTANCE OF 293.08 FEET; THENCE NORTH 77° 16' 44" WEST, 14.23 FEET TO A POINT ON THE WEST LINE OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M., SAID POINT LYING ON A LINE WITH A BEARING OF NORTH 00° 04' 09" EAST, 725.57 FEET FROM FOUND CONCRETE MONUMENT AT S.E. CORNER OF SAID SECTION 10; THENCE NORTH 00° 04' 09" EAST ALONG SAID WEST LINE , 32.15 FEET; THENCE NORTHEAST ALONG A 445.00 FOOT RADIUS CURVE CONCAVE NORTHWEST WITH A CENTRAL ANGLE OF 22° 14' 56", A CHORD DISTANCE OF 171.72 FEET, A CHORD BEARING OF NORTH 69° 08' 54" EAST, FOR AN ARC DISTANCE OF 172.80 FEET; THENCE SOUTHEAST ALONG A 20.50 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 84° 20' 43", A CHORD DISTANCE OF 27.53 FEET, A CHORD BEARING OF SOUTH 79° 48' 11" EAST, FOR AN ARC DISTANCE OF 30.18 FEET; THENCE SOUTH 37° 37' 48" EAST, 189.03 FEET; THENCE SOUTH 39° 23' 35" EAST, 118.17 FEET TO POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN THE FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 28,219.4 SQUARE FEET.

AND

Description (Parcel "A" in SE 1/4 of SE 1/4 SECTION 9-78-24)

PART OF LOT 4, OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M., AND PART OF INDIANOLA ROAD ADJOINING LOT 4 OF SAID OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, CLIFTON HEIGHTS, AN OFFICIAL PLAT; THENCE NORTH 69° (DEGREES) 56' (MINUTES) 23" (SECONDS) EAST ALONG THE SOUTHEAST LINE OF SAID LOT 8, TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY LINE OF INDIANOLA ROAD AS IT IS PRESENTLY ESTABLISHED, 210.90 FEET; THENCE NORTHWEST ALONG A 374.92 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 15° 50' 24", A CHORD DISTANCE OF 103.32 FEET, A CHORD BEARING OF NORTH 57° 23' 32" WEST, FOR AN ARC DISTANCE OF 103.65 FEET; THENCE NORTHWEST ALONG A 1,403.27 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 11° 58' 00", A CHORD DISTANCE OF 292.55 FEET, A CHORD BEARING OF NORTH 71° 17' 44" WEST, FOR AN ARC DISTANCE OF 293.08 FEET; THENCE NORTH 77° 16' 44" WEST TO THE WEST LINE OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M., 14.23 FEET TO POINT OF BEGINNING, SAID POINT LYING ON A LINE WITH A BEARING OF NORTH 00° 04' 09" EAST, 725.57 FEET FROM FOUND CONCRETE MONUMENT AT S.E. CORNER OF SAID SECTION 10; THENCE NORTH 77° 16' 44" WEST, 17.64 FEET; THENCE NORTHEAST ALONG A 16.00 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 125° 24' 35", A CHORD DISTANCE OF 28.44 FEET, A CHORD BEARING OF NORTH 18° 37' 56" EAST, FOR AN ARC DISTANCE OF 35.02 FEET; THENCE NORTHEAST ALONG A 445.00 FOOT RADIUS CURVE CONCAVE NORTHWEST WITH A CENTRAL ANGLE OF 1° 03' 54", A CHORD DISTANCE OF 8.27 FEET, A CHORD BEARING OF NORTH 80° 48' 19" EAST, FOR AN ARC DISTANCE OF 8.27 FEET; THENCE SOUTH 00° 04' 09" WEST, 32.15 FEET TO POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN THE FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 556.5 SQUARE FEET.

Sec. 2. 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. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Lisa A. Wieland, 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.

16-0511), passed by the City Council of said City at a meeting held March 21, 2016 signed by the Mayor on March 21, 2016 and published and provided by law in the Business Record on April 8, 2016. Authorized by Publication Order No. 9484.

Diane Rauh, City Clerk