

ORDINANCE NO. 15,691

AN ORDINANCE vacating a portion of Woodland Avenue right-of-way located north of and adjoining 616 10th 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 portion of Woodland Avenue right-of-way located north of and adjoining 616 10th Street, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND LOCATED IN THE RIGHT-OF-WAY OF WOODLAND AVENUE, ALSO BEING LOCATED IN HOLCOMB'S ADDITION TO FORT DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF LOT 5 OF SAID HOLCOMB'S ADDITION TO FORT DES MOINES; THENCE S79°55'09"W, 4.90 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF WOODLAND AVENUE TO THE POINT OF BEGINNING AT THE INTERSECTION OF AN EXISTING BUILDING AT 616 10TH STREET AND SAID RIGHT-OF-WAY LINE; THENCE N15°44'01"W, 0.47 FEET; THENCE S79°50'02"W, 83.91 FEET; THENCE S15°46'05"E, 0.35' FEET TO THE INTERSECTION OF SAID BUILDING LINE AND SAID RIGHT-OF-WAY LINE; THENCE N79°55'09"E, 83.92 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 35 SQUARE FEET WHICH CONTAINS THE EXISTING BUILDING AND ALL OVERHANGS AND APPURTENANCES THAT EXTEND INTO WOODLAND AVENUE RIGHT-OF-WAY, WHICH IS BELOW A PLANE ELEVATION OF 91.4 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 59.3 FEET CITY DATUM. GROUND ELEVATION BEING BETWEEN 59.3 AND 61.2 FEET CITY DATUM.

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:

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. 18-1370), passed by the City Council of said City at a meeting held August 6, 2018 signed by the Mayor on August 6, 2018 and published and provided by law in the Business Record on August 24, 2018. Authorized by Publication Order No. 10429.

Diane Rauh, City Clerk