

ORDINANCE NO. 16,099

AN ORDINANCE repealing Ordinance No. 16,053 vacating a portion of Cohen Park located north of and adjoining 1106 Scott Avenue.

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. The Ordinance No. 16,053 is hereby repealed.

Sec. 2. That a portion of Cohen Park located north of and adjoining 1106 Scott Avenue, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND IN PARCEL 'A', AN OFFICIAL PARCEL RECORDED IN BOOK 15781, PAGE 375-376 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S14°46'34"E, 49.91 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO THE NE CORNER OF LOT 4, BLOCK 13, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT RECORDED IN BOOK 'B', PAGE 50 AT THE POLK COUNTY RECORDER'S OFFICE, SAID NE CORNER ALSO BEING THE MOST EASTERN POINT OF SAID PARCEL 'A'; THENCE S74°47'07"W, 46.91 FEET ALONG A LINE THAT COINCIDES WITH THE NORTH LINE OF SAID LOT 4 AND THE SOUTH LINE OF SAID PARCEL 'A' TO THE NW CORNER OF THE E1/3 OF SAID LOT 4; THENCE S14°44'11"E, 12.43 FEET ALONG THE EAST LINE OF SAID E1/3 OF SAID LOT 4 TO A POINT ON THE SOUTH LINE OF THE NORTH 12.43 FEET OF SAID LOT 4; THENCE S74°47'07"W, 107.42 FEET ALONG A LINE THAT COINCIDES WITH SAID SOUTH LINE OF THE NORTH 12.43 FEET OF LOT 4 TO A POINT; THENCE N14°48'48"W, 15.89 FEET ALONG A LINE THAT COINCIDES WITH THE WEST LINE OF PARCEL 2019-34, AN OFFICIAL PARCEL RECORDED IN BOOK 18580, PAGE 467 AT THE POLK COUNTY RECORDER'S OFFICE TO A POINT ON THE NORTH LINE OF SAID PARCEL 'A', SAID POINT ALSO BEING THE SW CORNER OF SAID PARCEL 2019-34; THENCE N58°04'14"E, 161.53 FEET ALONG SAID NORTH LINE OF PARCEL 'A' AND THE SOUTH LINE OF SAID PARCEL 2019-34 TO THE POINT OF BEGINNING AND CONTAINING 5454 SQUARE FEET MORE OR LESS.

Sec. 3. 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. 4. 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. 5. 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, P. Kay Cmelik, 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. 22-0107), passed by the City Council of said City at the meeting held on January 24, 2022, and signed by the Mayor on January 24, 2022, and published and provided by law in the Business Record on February 11, 2022. Authorized by Publication Order No. 11790.

P. Kay Cmelik, City Clerk