

ORDINANCE NO. 16,108

AN ORDINANCE vacating a portion of Birdland Park lying south of and adjoining 1900 Saylor 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 Birdland Park lying south of and adjoining 1900 Saylor Road, more specifically described as follows, be and is hereby vacated:

THAT PART OF LOT 7 IN THOMPSON ESTATES, BEING A SUBDIVISION OF PART OF SECTIONS 26, 27, 28, 34, 35 & 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT DATED 1866 AND RECORDED IN BOOK A PAGE 192, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN GORDON PLACE, BEING A SUBDIVISION OF SAID SECTION 35, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1925 IN BOOK I PAGE 185; THENCE SOUTH 89 DEGREES 49 MINUTES 03 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 1, 3.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89 DEGREES 49 MINUTES 03 SECONDS WEST, 124.49 FEET TO A MEANDER LINE OF THE DES MOINES RIVER; THENCE NORTH 38 DEGREES 15 MINUTES 05 SECONDS WEST ALONG SAID MEANDER LINE, 177.16 FEET; THENCE CONTINUING ALONG SAID MEANDER LINE, NORTH 68 DEGREES 48 MINUTES 18 SECONDS WEST, 29.21 FEET; THENCE NORTH 51 DEGREES 31 MINUTES 34 SECOND EAST, 125.75 FEET; THENCE NORTH 05 DEGREES 31 MINUTES 03 SECONDS EAST, 23.87 FEET; THENCE NORTH 32 DEGREES 24 MINUTES 42 SECONDS WEST, 50.07 FEET; THENCE NORTH 57 DEGREES 35 MINUTES 18 SECONDS EAST, 26.32 FEET TO THE WESTERLY LINE OF SAYLOR ROAD AS MONUMENTED AND OCCUPIED AND A NON-TANGENT CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 593.00 FEET, A CHORD BEARING OF SOUTH 25 DEGREES 13 MINUTES 48 SECONDS EAST AND A CHORD LENGTH OF 58.33 FEET, FOR AN ARC LENGTH OF 58.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 28 DEGREES 02 MINUTES 56 SECONDS EAST ALONG SAID WESTERLY LINE OF SAYLOR ROAD, 225.65 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG SAID WESTERLY LINE BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 523.00 FEET, A CHORD BEARING OF

SOUTH 31 DEGREES 19 MINUTES 59 SECONDS EAST AND A CHORD LENGTH OF 59.93 FEET, FOR AN ARC LENGTH OF 59.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 34 DEGREES 37 MINUTES 02 SECONDS EAST ALONG SAID WESTERLY LINE, 5.54 FEET TO THE POINT OF BEGINNING, IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 31,341 SQUARE FEET.

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, 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. 22-0361), passed by the City Council of said City at the meeting held on March 7, 2022, and signed by the Mayor on March 7, 2022, and published and provided by law in the Business Record on March 25, 2022. Authorized by Publication Order No. 11799.

P. Kay Cmelik, City Clerk