

ORDINANCE NO. 16,261

AN ORDINANCE vacating parkland located along the Des Moines River east of Illinois Street, south of University Avenue, and north of Interstate 235.

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 parkland located along the Des Moines River east of Illinois Street, south of University Avenue, and north of Interstate 235, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND BEING PART OF LOT 2, BLOCK 'C', RIVER HILLS PLAT ONE, CITY OF DES MOINES, POLK COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, RIVER HILLS PLAT FIVE, IN SAID CITY OF DES MOINES, SAID POINT ALSO BEING ON THE SOUTH LINE OF UNIVERSITY AVENUE RIGHT-OF-WAY; THENCE S89°58'49"E, 60.00 FEET ALONG THE SOUTH LINE OF UNIVERSITY AVENUE RIGHT-OF-WAY TO THE EAST LINE OF ILLINOIS STREET RIGHT-OF-WAY; THENCE S00°02'32"E, 95.14 FEET ALONG SAID EAST LINE OF ILLINOIS STREET RIGHT-OF-WAY; THENCE CONTINUING ALONG SAID EAST LINE OF ILLINOIS STREET RIGHT-OF-WAY S26°53'53"W, 821.95 FEET TO THE POINT OF BEGINNING; THENCE S63°08'28"E, 160.30 FEET; THENCE S31°06'50"W, 425.68 FEET TO THE BEGINNING OF A 515 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY 78.64 FEET ALONG SAID CURVE, LONG CHORD BEARS S26°44'22"W, 78.56 FEET; THENCE S22°21'54"W, 161.55 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE N85°37'33"W, 153.72 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER THEREOF; THENCE N26°53'53"E, 313.97 FEET TO THE SOUTHEAST CORNER OF ILLINOIS STREET RIGHT-OF-WAY; THENCE N26°53'53"E, 408.93 FEET ALONG THE EAST LINE OF ILLINOIS STREET RIGHT-OF-WAY TO THE POINT OF BEGINNING.

AREA OF SAID PARCEL #2023-45 IS 97,485 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: Chas M. Cahill, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, 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. 23-1031), passed by the City Council of said City at the meeting held on July 17, 2023 and signed by the Mayor on July 17, 2023 and published and provided by law in the Business Record on August 4, 2023. Authorized by Publication Order No. 12360.

Laura Baumgartner, City Clerk