



Roll Call Number

Agenda Item Number

48A

Date June 27, 2022

An Ordinance entitled, "AN ORDINANCE vacating a segment of Southwest 17th Street right-of-way and a segment of Wabash Street right-of-way located south of West Martin Luther King, Jr. Parkway and west of Southwest 16th Street",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage. Seconded by _____.

FORM APPROVED:

(First of three required readings)

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, Acting City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

Acting City Clerk

48A

Prepared by: Mackenzie L. Moreno, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4535
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating a segment of Southwest 17th Street right-of-way and a segment of Wabash Street right-of-way located south of West Martin Luther King, Jr. Parkway and west of Southwest 16th 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 segment of Southwest 17th Street right-of-way and a segment of Wabash Street right-of-way located south of West Martin Luther King, Jr. Parkway and west of Southwest 16th Street, more specifically described as follows, be and is hereby vacated:

A PART OF SOUTHWEST 17TH STREET RIGHT OF WAY AND A PART OF WABASH STREET RIGHT OF WAY ADJOINING BLOCK 4, CITY PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER SAID BLOCK 4; THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 4 TO THE NORTH LINE OF LOT 1, DICO PLAT NO.1, AN OFFICIAL PLAT, SAID NORTH LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF WABASH STREET; THENCE WEST ALONG SAID NORTH LINE TO A CORNER OF SAID LOT 1, SAID CORNER ALSO BEING THE INTERSECTION OF WEST RIGHT OF WAY OF SOUTHWEST 17TH STREET AND SAID SOUTH RIGHT OF WAY LINE OF WABASH STREET; THENCE NORTH ALONG AN EASTERLY LINE OF SAID LOT 1 AND ALONG SAID WEST RIGHT OF WAY LINE TO THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF SOUTHWEST 17TH STREET AND THE SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARKWAY,


SAID SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARK WAY BEING DESCRIBED AND RECORDED IN BOOK 12736 PAGE 582 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA; THENCE EAST ALONG A STRAIGHT LINE TO THE INTERSECTION OF THE WEST LINE OF SAID BLOCK 4 AND SAID SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARKWAY; THENCE SOUTH ALONG SAID WEST LINE OF SAID BLOCK 4 TO THE SOUTH LINE OF SAID BLOCK 4; THENCE EAST ALONG SAID SOUTH LINE OF SAID BLOCK 4 TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 0.60 ACRES (26,158 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:



Mackenzie L. Moreno
Assistant City Attorney

EXHIBIT A

