

ORDINANCE NO. 13,633

AN ORDINANCE vacating a portion of the E. 33rd Street right-of-way between E. Douglas Avenue and E. Clinton 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:

Section 1. The following described portion of the E. 33rd Street right-of-way between E. Douglas Avenue and E. Clinton Avenue is hereby vacated:

Part of the North 1/2 of Section 29, Township 79 North, Range 23 West of the 5th P.M., more particularly described as follows: Commencing as a point of reference at the North 1/4 corner of said Section 29; thence South 0(degrees) 22'(minutes) 49'(seconds) West along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 29, for a distance of 30.00 feet to the Point of Beginning; thence South 89°54'17" East along the South right-of-way line of East Douglas Avenue, 94.51 feet; thence South 185°7'59" West, 296.52 feet to the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 29; thence continuing South 185°7'59" West 17.16 feet; thence Southwest along a 533 foot radius curve concave Southeast with a central angle of 82°8'46", a chord distance of 78.81 feet, a chord bearing of South 144°3'43" West for an arc distance of 78.88 feet; thence North 0°22'49" East, 372.73 feet; thence North 89°18'44" East, 25.00 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Section 2. This vacation is made with reservations of right-of-way easements for any public utilities now in place with the right of entry for servicing same.

Section 3. 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.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney