

ORDINANCE NO. 13,730

AN ORDINANCE vacating the Littell Avenue right-of-way extending west from Fleur Drive to S.W. 28th 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:

Section 1. That the Littell Avenue right-of-way extending west from Fleur Drive to S.W. 28th Street, more specifically described below, be and is hereby vacated:

A Part of Lot B in Wakonda Heights and Lot B in Haverhill Place, Official Plats in the City of Des Moines, more particularly described as follows:

Beginning at the common Northeast Corner of Lot B in Haverhill Place and Northwest Corner of Lot B in Wakonda Heights; thence South 89°(degrees) 48'(Minutes) 37"(Seconds) East along the North line of Lot B in Wakonda Heights, a distance of 199.71 feet; thence continuing North 89°34'05" East along said Lot B, a distance of 38.65 feet; thence continuing South 89°56'58" East along said Lot B, a distance of 249.45 feet; thence continuing South 89°55'12" East along said Lot B, a distance of 100.11 feet; thence continuing South 89°56'55" East along said Lot B, a distance of 200.04 feet; thence continuing South 89°52'03" East along said Lot B, a distance of 317.10 feet; thence continuing North 89°57'07" East along said Lot B, a distance of 43.97 feet; thence continuing South 89°56'16" East along said Lot B, a distance of 446.82 feet to the northwesterly right-of-way line of Relocated Army Post Road; thence South 39°11'58" West along said northwesterly right-of-way line, a distance of 64.58 feet to the South line of Lot B in Wakonda

Heights; thence North 89°46'49" West along said Lot B, a distance of 16.01 feet; thence continuing North 89°56'10" West along said Lot B, a distance of 87.08 feet; thence continuing North 89°55'01" West along said Lot B, a distance of 164.18 feet; thence continuing North 89°55'18" West along said Lot B, a distance of 194.84 feet; thence continuing North 89°54'04" West along said Lot B, a distance of 841.28 feet; thence continuing South 89°48'51" West along said Lot B, a distance of 123.18 feet; thence continuing North 89°55'50" West along said Lot B, a distance of 123.37 feet to the common Southwest Corner of Lot B Wakonda Heights and Southeast Corner of Lot B Haverhill Place; thence continuing North 89°30'28" West along said Lot B, a distance of 98.52 feet; thence continuing North 89°54'04" West along said Lot B, a distance of 26.42 Feet to the East right-of-way line of S.W. 28th Street; thence continuing North 11°26'39" West along said East right-of-way line, a distance of 76.11 feet; thence along a 25.00 foot radius curve, concave Northwest with a central angle of 90°17'36", a chord distance of 35.45 feet, a chord bearing of South 44°58'37" East for an arc distance of 39.40 feet; thence continuing South 89°55'30" East along said Lot B in Haverhill Place, a distance of 114.88 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 85,187 square feet or 1.96 acres more or less.

Sec. 2. All utilities now located within the right-of-way described above shall be abandoned or removed from such right-of-way prior to September 1, 2000, unless specific permission for the continued location and use of the utility within such right-of-way is hereafter granted by easement from the City of Des Moines, Iowa.

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:

Roger K. Brown, Assistant City Attorney

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Attest:

I, Donna Boetel-Baker, 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. 99-2348), passed by the City Council of said City at a meeting held July 26, 1999, signed by the Mayor on July 26, 1999, and published as provided by law in the Business Record on August 9, 1999. Authorized by Publication Order No. 6201.

Donna Boetel-Baker, CMC/AAE, City Clerk