

ORDINANCE NO. 13,770

AN ORDINANCE vacating portions of the 30th and 31st Street rights-of-way between University and Carpenter Avenues and portions of the north/south alley between such streets.

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 portions of the 30th and 31st Street rights-of-way between University and Carpenter Avenues and the portions of the north/south alley between such streets more specifically described as follows, be and are hereby vacated:

Tract "A": A part of 31st Street north of University Avenue more particularly described as follows:

Commencing as a point of reference at the Southwest corner of Lot 50, Lawndale, an Official Plat; thence North 0E (degrees) 16' (minutes) 45" (seconds) West along the West line of said Lot 50, a distance of 7.00 feet to the Point of Beginning; thence North 89E56'49" West, 50.00 feet; thence North 0E16'45" West along the West right-of-way line of 31st Street, a distance of 171.17 feet; thence South 75E23'41" East, 51.74 feet; thence South 0E 16'45" East along the East line of 31st Street, a distance of 158.08 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (containing 8,231 square feet more or less).

Tract "B": A part of 30th Street north of University Avenue more particularly described as follows:

Beginning at the Northeast corner of Lot 10, Lawndale, an Official Plat; thence North 0E (degrees) 12' (minutes) 54" (seconds) West along the West right-of-way line of said 30th Street, a distance of 126.33 feet; thence Northeast along a 410.00 foot radius curve concave Northwest with a central angle of 16E32'10", a chord distance of 117.92 feet, a chord bearing of North 22E13'06" East, for an arc distance of 118.33 feet; thence South 0E12'54" East along the East right-of-way line of said 30th Street, a distance of 485.66 feet; thence South 58E29'24" East, 15.28 feet; thence South 89E56'49" West, 66.00 feet; thence North 69E22'15" East, 8.54 feet; thence North 0E12'54" West along the West right-of-way line of said 30th Street, a distance of 255.21 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (containing 19,488 square feet more or less).

Tract C: A part of an alley south of Carpenter Avenue between 30th Street and 31st Street more particularly described as follows:

Beginning at the Northeast corner of Lot 26, Lawndale, an Official Plat; thence North 89E (degrees) 14' (minutes) 22" (seconds) East, 13.00 feet; thence South 0E14' 49" East along the East line of said alley, a distance of 293.90 feet; thence South 44E52'35" West, 18.34 feet; thence North 0E14'49" West along the West line of the said alley, a distance of 306.73 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (containing 3,904 square feet more or less).

Sec. 2. That 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.

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