

ORDINANCE NO. 13,914

AN ORDINANCE vacating the remaining segment of original Army Post Road from a point east of SW 28th Street to a point west of SW 30th 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 following described remaining segment of original Army Post Road from a point east of SW 28th Street to a point west of SW 30th Street, be and is hereby vacated:

A PART THE SOUTHEAST 1/4 OF SECTION 30, SOUTHWEST 1/4 OF SECTION 29, NORTHWEST 1/4 OF SECTION 32 AND NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE COMMON SECTION CORNER OF SAID SECTIONS 29, 30, 31 AND 32; THENCE SOUTH 0°(DEGREES) 01'(MINUTES) 23"(SECONDS) EAST, 35.10 FEET TO THE SOUTH RIGHT-OF-WAY(ROW) LINE OF ARMY POST ROAD AND THE POINT OF BEGINNING; THENCE NORTH 89°48'10" WEST ALONG SAID SOUTH ROW, 843.69 FEET; THENCE NORTH 0°06'19" EAST ALONG SAID ROW, 8.00 FEET; THENCE NORTH 89°48'10" WEST ALONG SAID ROW, 151.79 FEET; THENCE SOUTH 0°06'27" WEST ALONG SAID ROW, 8.00 FEET; THENCE NORTH 89°48'10" WEST, ALONG SAID ROW, 124.74 FEET TO A PREVIOUS ARMY POST ROAD VACATION LINE; THENCE north 0°08'14" west, 95.09 FEET TO THE NORTH ROW LINE OF ARMY POST ROAD; THENCE SOUTH 89°48'10" EAST ALONG SAID NORTH ROW LINE, 1120.50 FEET TO THE WEST LINE OF SAID SECTION 29; THENCE north 89°57'57" EAST ALONG SAID NORTH ROW LINE OF ARMY POST ROAD, 865.20 FEET TO A PREVIOUS ARMY POST ROAD VACATION LINE; THENCE SOUTH 0°12'57" WEST, 95.00 FEET TO THE SOUTH ROW LINE OF ARMY POST ROAD; THENCE south 89°57'57" WEST ALONG the SOUTH row line of army post road, 864.90 FEET TO THE POINT OF BEGINNING, ALL NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 187,546 SQUARE FEET OR 4.31 ACRES

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:

Paul L. White, 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. 01-268), passed by the City Council

of said City at a meeting held January 22, 2001, signed by the Mayor on January 22, 2001, and published as provided by law in the Business Record on February 5, 2001. Authorized by Publication Order No. 1554.

Donna Boetel-Baker, MMC, City Clerk