

ORDINANCE NO. 14,003

AN ORDINANCE vacating Excess Land and Street R.O.W Vicinity of South Union and Columbus Ave.

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 Excess Land and Street R.O.W Vicinity of South Union and Columbus Ave., be and is hereby vacated:

A PART OF SOUTH UNION STREET: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 12, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; THENCE NORTH 18° (DEGREES)23'(MINUTES)10" (SECONDS)EAST, 132.46 FEET; THENCE SOUTHEAST ALONG A 950.00 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 6°33'42", A CHORD DISTANCE OF 108.74 FEET, A CHORD BEARING OF SOUTH 18°58'54" EAST, FOR AN ARC DISTANCE OF 108.80 FEET; THENCE SOUTH 18°23'10" WEST, 51.04 FEET; THENCE NORTH 67°17'36" WEST, 66.18 FEET TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 5,942 SQUARE FEET.

and

A PART OF COLUMBUS AVENUE: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4,

BLOCK 12, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT; THENCE SOUTH 67° (DEGREES)17'(MINUTES) 36"(SECONDS)EAST, 66.18 FEET; THENCE SOUTH 64°48'15" EAST, 53.97 FEET; THENCE SOUTHEAST ALONG A 950.00 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 7°04'55" , A CHORD DISTANCE OF 117.35 FEET, A CHORD BEARING OF SOUTH 30°32'23" EAST, FOR AN ARC DISTANCE OF 117.42 FEET; THENCE NORTH 64°37'03" WEST, 17.54 FEET; THENCE NORTH 64°28'11" WEST, 80.85 FEET; THENCE NORTH 65°31'30" WEST, 47.79 FEET; THENCE NORTH 67°40'54" WEST, 63.03 FEET; THENCE NORTH 18°23'10" EAST, 66.90 FEET TO THE POINT OF BEGINNING.

AS SURVEYED AND MONUMENTED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 10,732 SQUARE FEET.

and

A PART OF SOUTH UNION STREET: BEGINNING AT THE NORTHWEST CORNER OF LOT 7 OF THE OFFICIAL PLAT OF LOT 10 OF THE OFFICIAL PLAT OF THE SE 1/4 OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST; THENCE SOUTH 18° (DEGREES)27'(MINUTES) 54"(SECONDS) WEST, 170.56 FEET; THENCE NORTH 88°15'45" WEST, 49.63 FEET; THENCE NORTH 18°27'54" EAST, 189.85 FEET; THENCE SOUTH 65°31'30" EAST, 47.79 FEET TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 8,566 SQUARE FEET.

and

A PART OF LOT 1, BLOCK 13, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT: MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 18° (DEGREES)23'(MINUTES)10"(SECONDS)EAST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 51.03 FEET; THENCE SOUTHEAST ALONG A 950.00 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 4°44'17" , A CHORD DISTANCE OF 78.54 FEET, A CHORD BEARING OF SOUTH 24°37'47" EAST, FOR AN ARC DISTANCE OF 78.56 FEET; THENCE NORTH 64°48'15" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 53.96 FEET TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 1,324 SQUARE FEET.

and

A PART OF LOTS 5, 6, 7, & 8 OF THE OFFICIAL PLAT OF LOT 10 OF THE OFFICIAL PLAT OF THE SE 1/4 OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST & LOT 3 & 4 OF THE OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7; THENCE SOUTH 64° (DEGREES)28' (MINUTES) 11" (SECONDS) EAST, 80.85 FEET; THENCE SOUTH 64°37'03" EAST, 17.54 FEET; THENCE SOUTHEAST ALONG A 950.00 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 3°01'04" , A CHORD DISTANCE OF 50.03 FEET, A CHORD BEARING OF SOUTH 35°35'22" EAST, FOR AN ARC DISTANCE OF 50.04 FEET; THENCE SOUTHWEST ALONG A 20.50 FOOT RADIUS CURVE CONCAVE NORTHWEST WITH A CENTRAL ANGLE OF 97°08'40" , A CHORD DISTANCE OF 30.74 FEET, A CHORD BEARING OF SOUTH 11°28'26" WEST, FOR AN ARC DISTANCE OF 34.76 FEET; THENCE SOUTHWEST ALONG A 367.00 FOOT RADIUS CURVE CONCAVE NORTHWEST WITH A CENTRAL ANGLE OF 27°13'59" , A CHORD DISTANCE OF 172.80 FEET, A CHORD BEARING OF SOUTH 73°39'45" WEST, FOR AN ARC DISTANCE OF 174.44 FEET; THENCE NORTH 18°27'54" EAST, 170.56 FEET TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 16,647 SQUARE FEET.

ec. 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

Preston Daniels, Mayor

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. 01-3086), passed by the City Council of said City at a meeting held October 8, 2001, signed by the Mayor on October 8, 2001, and published as provided by law in the Business Record on October 22, 2001. Authorized by Publication Order No. 1924.

Donna Boetel-Baker, MMC City Clerk