

ORDINANCE NO. 14.004

AN ORDINANCE vacating ROW in the 3200 block of Mahaska Parkway

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 ROW in the 3200 block of Mahaska Parkway, be and is hereby vacated:

an irregular shaped portion of Mahaska parkway in lot 57, Lincoln Grande, Des Moines, Polk County, Iowa lying southeasterly of and adjacent to the southeasterly line of parcel "E" in lots 57 and 58 in said Lincoln Grande, all of which is more accurately described as follows:

beginning at the most southerly corner of parcel "e" in lots 57 and 58, Lincoln Grande, an official plat, Des Moines, Polk County, Iowa, said corner being on the northwesterly right-of-way line of Mahaska parkway as it is presently established; thence, n53°28'23"E along the northwesterly right-of-way line of said Mahaska parkway, a distance of 386.21 feet; thence, s36°31'37"E, a distance of 30.00 feet; thence, s53°28'23"W along a line parallel with and 30.00 feet normally distant from the northwesterly right-of-way line of said Mahaska parkway, a distance of 437.44 feet to the northwesterly extension of the southwesterly right-of-way line of SW. 33rd street as it is presently established;

thence, n34°15'09"W along the northwesterly extension of the southwesterly right-of-way line of said SW. 33rd street, a distance of 30.02 feet to the intersection of the southwesterly right-of-way line of said SW. 33rd street and the northwesterly right-of-way line of said Mahaska parkway; thence, n53°28'23"E along the northwesterly right-of-way line of said Mahaska parkway, a distance of 50.04 feet to the point of beginning.

said tract of land being subject to and together with any and all easements of record. said tract of land contains 13,106 square feet or 0.301 acres more or less.

Sec. 2. The City of Des Moines **HEREBY RESERVES** an easement upon the property described above for the continued use and maintenance of any 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. 01-3089), 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. 1925.

Donna Boetel-Baker, MMC City Clerk