

ORDINANCE NO. 14,429

AN ORDINANCE vacating an irregular shaped dead-end portion of Clark Street running west from 23rd Street and a 110' segment of north/south alley north of Clark 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 irregular shaped dead-end portion of Clark Street running west from 23rd Street and a 110' segment of north/south alley north of Clark Street, more specifically described as follows, be and is hereby vacated.

That part of Clark Street (also known as Kinyon Avenue) right-of-way lying South of and adjoining Lot 17, Williamson Place, an Official Plat, and that part of Lot 1, Block 1, Marquardt Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of said Lot 17, said point being on the West right-of-way line of 23rd Street; thence South 00° (degrees) 00' (minutes) 00" (seconds) East along the West right-of-way line of 23rd Street, 39.00 feet, to a point being 25.00 feet northwesterly of and parallel with the center line of Clark Street; thence South 48° 51' 23" West, along a line 25.00 feet northwesterly of and parallel with the center line of Clark Street, 130.08 feet; thence North 00° 00' 00" East, 123.47 feet, to the intersection of the westerly extension of the South line of said Lot 17, thence North 89° 20' 37" East along the easterly extension of the South line of said Lot 17 and the South line of said Lot 17, a distance of 97.97 feet to the point of beginning. Containing 7958 square feet.

Subject to a 16.00-foot roadway easement and any easements of record.

AND

A 8.00-foot wide alley lying East of Lots 1, 2 and 3 Curtis Bluff Park Addition, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, lying south of the extension of the South line of Lot 17, Williamson Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of Lot 1 of said Curtis Bluff Park Addition; thence North 00° (degrees), 00' (minutes) 00" (seconds) East, along the east line of said Lots 1, 2 and 3 of said Curtis Bluff Park Addition, a distance of 130.36 feet; thence North 89°20'37" East, along the extension of the South line of said Lot 17 of said Williamson Place, a distance of 8.00 feet; thence South 00°00'00" West, a distance of 123.47 feet to a point 25.00 feet northwesterly of the center line of Clark Street; thence South 48°51'23" West, along a line 25.00 feet northwesterly of and parallel with the center line of said Clark Street, a distance of 10.62 feet to the point of beginning. Containing 1015 square feet.

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:

Ann DiDonato, Assistant City Attorney

Archie Brooks, Mayor Pro Tem

Attest:

I, Diane Rauh, 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. 05-899), passed by the City Council of said City at a meeting held April 11, 2005 signed by the Mayor Pro Tem on April 11, 2005 and published as provided by law in the Business Record on April 25, 2005. Authorized by Publication Order No. 4587.

Diane Rauh, City Clerk