

ORDINANCE NO. 14,616

AN ORDINANCE vacating a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road.

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 a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road, more specifically described as follows, be and is hereby vacated.

A portion of Lot 59 in Lincoln Grande, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as:

Commencing at the Southwest corner of said Lot 59; thence North 45°(Degrees) 52'(Minutes) 35"(Seconds) East along the South line of said Lot 59, 100.00 feet to the point of beginning; thence North 17°39'56" East, 23.07 feet; thence northwesterly along a 107.24 foot radius curve concave southwesterly, 120.39 feet, said curve having a chord length of 114.17 feet and a chord bearing of North 17°52'21" West; thence North 51°32'57" West, 59.80 feet to the West line of said Lot 59; thence northeasterly along the West line of said Lot 59 and along a non tangent 183.48 foot radius curve concave easterly, 149.82 feet, said curve having a chord length of 145.69 feet and a chord bearing of North 4°06'22" East; thence northeasterly along the West line of said Lot 59 and along a 184.24 foot radius curve concave northwesterly, 10.45 feet, said curve having a chord length of 10.45 feet and a chord bearing of North 26°28'43" East; thence northeasterly along the West line of said Lot 59 and along a 356.89 foot radius curve concave northwesterly, 34.97 feet, said curve having a chord length of 34.95 feet and a chord bearing of North 22°52'11" East; thence South 22°05'42" East, 212.41 feet; thence southwesterly along a 147.79 foot radius curve concave westerly, 170.79 feet to the point of beginning, said curve having a chord length of 161.44 feet and a chord bearing of South 12°03'06" West. Said tract of land contains 19,642 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

T.M. Franklin Cownie, Mayor

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. 06-2502), passed by the City Council of said City at a meeting held December 18, 2006 signed by the Mayor on December 18, 2006 and published as provided by law in the Business Record on January 1, 2007, Authorized by Publication Order No. 5425.

Diane Rauh, City Clerk