

ORDINANCE NO. 15,013

AN ORDINANCE vacating parkland known as “A.H. Blank Park Zoo” located at 7401 S.W. 9<sup>th</sup> Street and “A.H. Blank Park” located at 7011 S.W. 9<sup>th</sup> Street, Des Moines, Iowa.

WHEREAS, all prior requirements of law pertaining to the vacation of public parkland have been fully observed; and

WHEREAS, it is desirable that the parkland herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That parkland known as “A.H. Blank Park Zoo” located at 7401 S.W. 9<sup>th</sup> Street and “A.H. Blank Park” located at 7011 S.W. 9<sup>th</sup> Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated.

THAT PART OF THE NORTHEAST ¼ AND THAT PART OF THE SOUTHEAST ¼ OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., AND THE WEST 632.0 FEET OF THE NORTHEAST ¼ OF SAID SECTION 33, (EXCEPT THE NORTH 1420.0 FEET OF THE NORTHEAST ¼), AND THE SOUTHEAST ¼ OF SAID SECTION 33 (EXCEPT THE SOUTH 40 ACRES OF THE EAST 60 ACRES OF SAID SOUTHEAST ¼), AND FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 33; THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHEAST ¼, A DISTANCE OF 33.0 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET 1204.0 FEET TO THE POINT OF BEGINNING; THENCE EAST 599.0 FEET; THENCE SOUTH ALONG A LINE 599.0 FEET EAST OF AND PARALLEL WITH THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET TO A POINT APPROXIMATELY 623.00 FEET SOUTH TO THE NORTHWEST CORNER OF PARCEL “A” AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 8041 PAGE 37; THENCE EAST ON THE NORTH PARCEL LINE OF SAID PARCEL “A” TO THE NORTHEAST CORNER OF SAID PARCEL “A”; THENCE SOUTH ALONG THE EAST PARCEL LINE OF PARCEL “A” TO THE SOUTH LINE OF THE EAST-WEST RODGERS ROAD AS CURRENTLY ESTABLISHED; THENCE WEST TO THE EASTLINE OF THE NORTH-SOUTH CARTER STREET AS CURRENTLY ESTABLISHED; THENCE SOUTH-SOUTHEAST ALONG THE EAST LINE OF CARTER STREET TO A POINT 65 FEET NORTH OF THE SOUTH PARCEL LINE AND 300 FEET WEST OF THE EAST PARCEL LINE; THENCE SOUTHWESTERLY TO A POINT APPROXIMATELY 375 FEET WEST OF THE EAST PARCEL LINE ON THE SOUTH PARCEL LINE TO THE CORNER POST OF THE EXISTING NORTHERN BLANK GOLF COURSE FENCE; THENCE FOLLOWING SAID FENCE TO THE WEST-SOUTHWEST TO A POINT 500 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF SE 9<sup>TH</sup> STREET; THENCE SOUTHWESTERLY 320.0 FEET TO A POINT 290.0 FEET SOUTH OF MASON AVENUE RIGHT OF WAY LINE EXTENDED; THENCE WESTERLY 320.0 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9<sup>TH</sup> STREET 1,970.0 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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. 11-0816), passed by the City Council of said City at a meeting held May 9, 2011 signed by the Mayor on May 9, 2011 and published as provided by law in the Business Record on May 27, 2011. Authorized by Publication Order No. 7474.

Diane Rauh, City Clerk