

ORDINANCE NO. 15,111

AN ORDINANCE vacating a portion of 15<sup>th</sup> Street adjoining the property at 1440 Walnut 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:

Sec. 1. That a portion of 15<sup>th</sup> Street adjoining the property at 1440 Walnut Street, more specifically described as follows, be and is hereby vacated.

AN IRREGULAR SHAPED PORTION OF THE 15th STREET PUBLIC RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 5 AND 6 IN BLOCK 39, LYON'S ADDITION TO FORT DES MOINES, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 6 IN BLOCK 39 OF SAID LYON'S ADDITION TO FORT DES MOINES; THENCE NORTH 15° (DEEGRES) 52' (MINUTES) 19" (SECONDS) WEST (BEARING ASSMED FOR THE PURPOSE OF THIS SURVEY) ALONG THE WESTERLY LINE OF SAID LOTS 6 AND 5, A DISTANCE OF 114.00 FEET; THENCE SOUTH 61°31'34" WEST, A DISTANCE OF 7.43 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 15th STREET AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 14°31'22" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 39.26 FEET; THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG A 50.00 FEET RADIUS CURVE CONCAVE WESTERLY, A DISTANCE OF 17.45 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 04°31'42" EAST AND A CHORD LENGTH OF 17.36 FEET; THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG A 266.77 FEET RADIUS CURVE CONCAVE WESTERLY, A DISTANCE OF 63.70 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 12°18'25" WEST AND A CHORD LENGTH OF 63.55 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 6; THENCE NORTH 74°16'01" EAST ALONG THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 6, A DISTANCE OF 41.60 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 1,879 SQUARE FEET OR 0.04 ACRES.

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:

Glenna K. Frank, 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. 12-0923), passed by the City Council of said City at a meeting held June 11, 2012 signed by the Mayor on June 11, 2012 and published as provided by law in the Business Record on June 29, 2012. Authorized by Publication Order No. 7919.

Diane Rauh, City Clerk