

ORDINANCE NO. 15,676

AN ORDINANCE vacating the north 40 feet of East Martin Luther King, Jr. Parkway right-of-way and the north-south alley right-of-way lying between Raccoon Street and East Martin Luther King, Jr. Parkway, all adjoining 401 Southeast 5<sup>th</sup> Street and 400 Southeast 6<sup>th</sup> 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 the north 40 feet of East Martin Luther King, Jr. Parkway right-of-way and the north-south alley right-of-way lying between Raccoon Street and East Martin Luther King, Jr. Parkway, all adjoining 401 Southeast 5<sup>th</sup> Street and 400 Southeast 6<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

Part of Lots 3 and 8 and part of the alley lying westerly of and adjoining Lots 8, 9, and 10, all in Block 43 of TOWN OF DEMOINE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 3 in Block 43; thence North 74°(degrees) 56'(minutes) 59"(seconds) East, 150.17 feet along the North line of said Lot 3 to the Northeast corner of said Lot 3; thence North 15°00'36" West, 111.94 feet along the East lines of Lots 2 and 1 in said Block 43 to the Northeast corner of said Lot 1 on the South right-of-way line of Raccoon Street; thence North 74°58'50" East, 18.00 feet along the South right-of-way line of Raccoon Street to the Northwest corner of Lot 10 in said Block 43; thence South 15°00'36" East, 111.93 feet along the West lines of Lots 10 and 9 in said Block 43 to the Northwest corner of said Lot 8 in Block 43; thence North 74°56'59" East, 121.62 feet along the North line of said Lot 8; thence southwesterly 44.05 feet along the arc of a non-tangent curve concave southeasterly and having a radius of 84.00 feet, a central angle of 30°02'42" and a 43.55 feet long chord that bears South 34°42'51" West; thence southwesterly 18.27 feet along a non-tangent curve concave southeasterly and having a radius of 45.00 feet, a central angle of 23°16'00" and a 18.15 feet long chord that bears South 52°23'16" West; thence southwesterly 16.72 feet along the arc of a curve concave northwesterly and having a radius of 28.00 feet, a central angle of 34°13'20" and a 16.48 feet long chord that bears South 57°51'56" West; thence South 74°58'37" West, 224.16 feet to the West line of said Lot 3; thence North 14°53'04" West, 39.82 feet along the West line of said Lot 3 to the point of beginning.

Containing 12,458 square feet (0.29 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:

Lisa A. Wieland, 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. 18-1106), passed by the City Council of said City at a meeting held June 25, 2018 signed by the Mayor on June 25, 2018 and published and provided by law in the Business Record on July 13, 2018. Authorized by Publication Order No. 10414.

Diane Rauh, City Clerk