

ORDINANCE NO. 16,031

AN ORDINANCE vacating a 48.76-foot wide irregularly shaped segment of Southwest McKinley Avenue right-of-way located north of and adjoining 6020 Southwest McKinley Avenue.

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 Southwest McKinley Avenue right-of-way north of and adjoining 6020 Southwest McKinley Avenue, more specifically described as follows, be and is hereby vacated:

AN IRREGULAR SHAPED PORTION OF THE SW MCKINLEY AVENUE RIGHT OF WAY NORTH OF AND ADJACENT TO LOT 2 OF GREEN HILLS PLAT 1, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE N89°39'25"W ALONG THE NORTH LINE OF SAID LOT 2 AND THE SOUTH RIGHT OF WAY LINE OF MCKINLEY AVENUE, A DISTANCE OF 204.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N00°12'03"W, A DISTANCE OF 48.76 FEET; THENCE S89°39'25"E, A DISTANCE OF 136.75 FEET; THENCE SOUTHEASTERLY ALONG A 451.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 72.61 FEET, SAID CURVE HAVING A CHORD BEARING OF S70°00'41"E AND A CHORD LENGTH OF 72.53 FEET; THENCE S00°10'30"E, A DISTANCE OF 24.37 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 9,085 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:

Lisa A. Wieland, Assistant City Attorney

Ordinance No. 16,031 cont'd

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 21-1283), passed by the City Council of said City at the meeting held on August 9, 2021 and signed by the Mayor on August 9, 2021 and published and provided by law in the Business Record on August 27, 2021. Authorized by Publication Order No. 11608.

P. Kay Cmelik, City Clerk