

ORDINANCE NO.16,199

AN ORDINANCE vacating a portion of Beaverdale Park, 3333 Adams Avenue, lying south of and adjoining 3401 34<sup>th</sup> Street, Des Moines, Iowa.

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 Beaverdale Park, 3333 Adams Avenue, lying south of and adjoining 3401 34<sup>th</sup> Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

A PART OF LOT 33, KINGMAN'S ORCHARD, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 33; THENCE NORTH 0°(DEGREES) 48'(MINUTES) 51"(SECONDS) WEST ALONG THE WEST LINE OF SAID LOT, 639.89 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 89°38'33" EAST ALONG THE NORTH LINE OF SAID LOT, 104.65 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 232.50 FEET, WHOSE ARC LENGTH IS 46.12 FEET AND WHOSE CHORD BEARS SOUTH 37°17'55" WEST, 46.05 FEET; THENCE SOUTH 31°36'56" WEST, 85.23 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 49.50 FEET, WHOSE ARC LENGTH IS 31.11 FEET AND WHOSE CHORD BEARS SOUTH 13°36'43" WEST, 30.60 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 2787.50 FEET, WHOSE ARC LENGTH IS 154.59 FEET AND WHOSE CHORD BEARS SOUTH 2°48'11" EAST, 154.57 FEET; THENCE SOUTH 1°12'52" EAST, 345.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE SOUTH 89°50'06" WEST ALONG SAID SOUTH LINE, 30.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.51 ACRES (22170 SQ. FT.).

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: Mackenzie L. Moreno, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, 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. 22-1825), passed by the City Council of said City at the meeting held on November 21, 2022 and signed by the Mayor on November 21, 2022 and published and provided by law in the Business Record on December 9, 2022 Authorized by Publication Order No. 12169.

Laura Baumgartner, City Clerk