

ORDINANCE NO. 16,340

AN ORDINANCE vacating a portion of the City right-of-way located on the north side of Ingersoll Avenue between 23th Street and Martin Luther King, Jr. Parkway.

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 the City right-of-way located on the north side of Ingersoll Avenue between 23th Street and Martin Luther King, Jr. Parkway, more specifically described as follows, be and is hereby vacated:

LEGAL DESCRIPTION 100-V1:

A PORTION OF INGERSOLL AVENUE RIGHT OF WAY IN THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF INGERSOLL AVENUE AND THE WEST LINE OF LOT 9 OF SAID OFFICIAL PLAT; THENCE NORTH 89°(DEGREES) 53'(MINUTES) 47"(SECONDS) EAST, 79.61 FEET ON SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 00°52'53" EAST, 21.82 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°55'38" EAST, 13.68 FEET; THENCE SOUTH 00°29'05" EAST, 7.56 FEET; THENCE NORTH 89°58'38" WEST, 13.63 FEET; THENCE NORTH 00°52'53" WEST, 7.54 FEET TO THE POINT OF BEGINNING CONTAINING 103 SQUARE FEET.

SUBJECT TO ALL EASEMENTS AND AGREEMENTS OF RECORD.

FOR THE PURPOSE OF THIS DESCRIPTION, ALL BEARING AND DISTANCES ARE REFERENCED TO NAD83(2011) IA SPCS SOUTH ZONE, US SURVEY FOOT.

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
Connie Boesen, 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. 24-0439), passed by the City Council of said City at the meeting held on March 18, 2024 and signed by the Mayor on March 18, 2024 and published and provided by law in the Business Record on April 5, 2024. Authorized by Publication Order No. 12619.

Laura Baumgartner, City Clerk