

ORDINANCE NO. 16,473

AN ORDINANCE vacating subsurface rights within a portion of Carpenter Avenue right-of-way adjoining 2400 Carpenter Avenue, 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 the subsurface rights within a portion of Carpenter Avenue right-of-way adjoining 2400 Carpenter Avenue, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

A TRACT OF LAND LYING WITHIN THE CARPENTER AVENUE RIGHT-OF-WAY THAT IS ADJOINING LOT 41 OF UNIVERSITY PLACE, AN OFFICIAL PLAT, CITY OF DES MOINES, POLK COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 41; THENCE S89°19'23"W, 63.05 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CARPENTER AVENUE TO THE POINT OF BEGINNING, THE NEXT 4 CALLS ARE ALONG LINES PARALLEL OR PERPENDICULAR TO SAID SOUTH RIGHT-OF-WAY LINE OF CARPENTER AVENUE; THENCE N00°40'37"W, 0.50 FEET; THENCE S89°19'23"W, 33.00 FEET; THENCE S00°40'37"E, 0.50 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE N89°19'23"E, 33.00 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 16.5 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: Grant Hyland, 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. 25-0858), passed by the City Council of said City at the meeting held on June 9, 2025 and signed by the Mayor on June 9, 2025 and published and provided by law in the Business Record on June 27, 2025. Authorized by Publication Order No. 13048.

Laura Baumgartner, City Clerk