

ORDINANCE NO. 16,516

AN ORDINANCE vacating surface rights within a portion of SW 8th Street right-of-way adjoining 4601 SW 9th 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 surface rights within a portion of SW 8th Street right-of-way adjoining 4601 SW 9th Street, more specifically described as follows, be and is hereby vacated:

A PART OF LOT D IN WHISPERING PINES, AN OFFICIAL PLAT, NOW INCLUDING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA, IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF THE NORTHWEST CORNER OF SAID LOT D; THENCE SOUTH 89°43'09" EAST, A DISTANCE OF 24.97 FEET ALONG THE NORTH LINE OF SAID LOT D; THENCE SOUTH 00°12'45" WEST, A DISTANCE OF 24.97 FEET; THENCE ALONG A CURVE WITH AN ARC LENGTH OF 39.24 FEET, A RADIUS OF 25.00 FEET, A DELTA ANGLE OF 89°55'54", A CHORD LENGTH OF 35.33 FEET, A CHORD DIRECTION OF NORTH 44°45'12" WEST, AND A TANGENT OF 24.97 FEET TO THE NORTH LINE OF SAID LOT D AND TO THE POINT OF BEGINNING.

CONTAINING 134 SQUARE FEET, MORE OR LESS.

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. 25-1624), passed by the City Council of said City at the meeting held on December 8, 2025 and signed by the Mayor on December 8, 2025 and published and provided by law in the Business Record on December 26, 2025. Authorized by Publication Order No. 13172.

Laura Baumgartner, City Clerk