

★ **Roll Call Number**

Agenda Item Number

61C

Date April 21, 2008

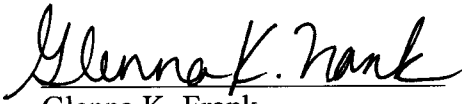
An Ordinance entitled, "AN ORDINANCE vacating the North/South alley right-of-way North of University Avenue and East of 30th Street",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

610



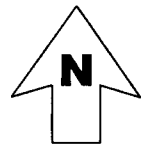
LEGEND



ACQUISITION



DISPOSITION



**PROPERTY ACQUISITION
AND DISPOSITION
DRAKE UNIVERSITY
34-2008-039**

610

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating the North/South alley right-of-way North of University Avenue and East of 30th 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:

Section 1. That the North/South alley right-of-way North of University Avenue and East of 30th Street, more specifically described as follows, be and is hereby vacated.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, LAWNDAL, AN OFFICIAL PLAT; THENCE SOUTH 89° (DEGREES) 56' (MINUTES) 49" (SECONDS) WEST ALONG AN EXTENSION OF THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 13.00 FEET; THENCE NORTH 0°14'50" WEST ALONG THE EAST LINE OF SAID LOTS 50 THRU 44, A DISTANCE OF 172.73 FEET; THENCE NORTHWEST ALONG A 17.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 56°15'35", A CHORD DISTANCE OF 16.03 FEET, A CHORD BEARING OF NORTH 36°07'07" WEST, FOR AN ARC DISTANCE OF 16.69 FEET; THENCE NORTH 61°21'49" WEST, 5.91 FEET; THENCE NORTHEAST ALONG A 366.00 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 2°30'19", A CHORD DISTANCE OF 16.00 FEET, A CHORD BEARING OF NORTH 28°38'03" EAST, FOR AN ARC DISTANCE OF 16.00 FEET; THENCE SOUTH 61°21'56" EAST, 3.08 FEET; THENCE SOUTHEAST ALONG A 36.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 8°06'28", A CHORD DISTANCE OF 5.09 FEET, A CHORD BEARING OF SOUTH 54°42'51" EAST, FOR AN ARC DISTANCE OF 5.09 FEET; THENCE NORTH 0°15'15" WEST, 15.75 FEET; THENCE NORTHEAST ALONG A 366.00 FOOT

DESCRIPTION APPROVED
[Signature]
3/18/08 08:28:06

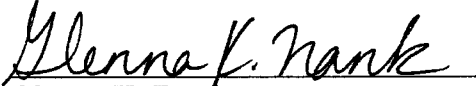
RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 3°40'06", A CHORD DISTANCE OF 23.43 FEET, A CHORD BEARING OF NORTH 33°27'36" EAST, FOR AN ARC DISTANCE OF 23.43 FEET; THENCE SOUTH 0°14'50" EAST ALONG THE WEST LINE OF LOTS 10 THRU 1, A DISTANCE OF 233.42 FEET; TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 3,118 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:



Glenna K. Frank
Assistant City Attorney

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Request from Drake University (owner) 3013 University, represented by Victoria Payseur for vacation and conveyance.		File #		
		11-2008-1.04		
Description of Action	Vacate and convey the north/south alley from University Avenue to relocated 30th Street between the vacated 30 th Street and relocated 30 th Street.			
2020 Community Character Plan	Low/Medium Density Residential			
Horizon 2025 Transportation Plan	No Planned Improvements			
Current Zoning District	"R-3" Multiple-Family Residential District & "C-1" Neighborhood Retail Commercial District			
Proposed Zoning District	N/A			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	0	0	0	N/A
Plan and Zoning Commission Action	Approval	13-0-1	Required 6/7 Vote of the City Council	Yes
	Denial			No

Drake University - Vacate Alley in vicinity of 30th & University Avenue 11-2008-1.04

