

★ Roll Call Number

Agenda Item Number

55

Date.....September 11, 2006.....

An Ordinance entitled, "AN ORDINANCE vacating a portion of Stanton Avenue, subject to appropriate avigation easements and building requirements that will mitigation aircraft noise",

which was considered and voted upon under Roll Call No. 06-1693 of August 21, 2006; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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.

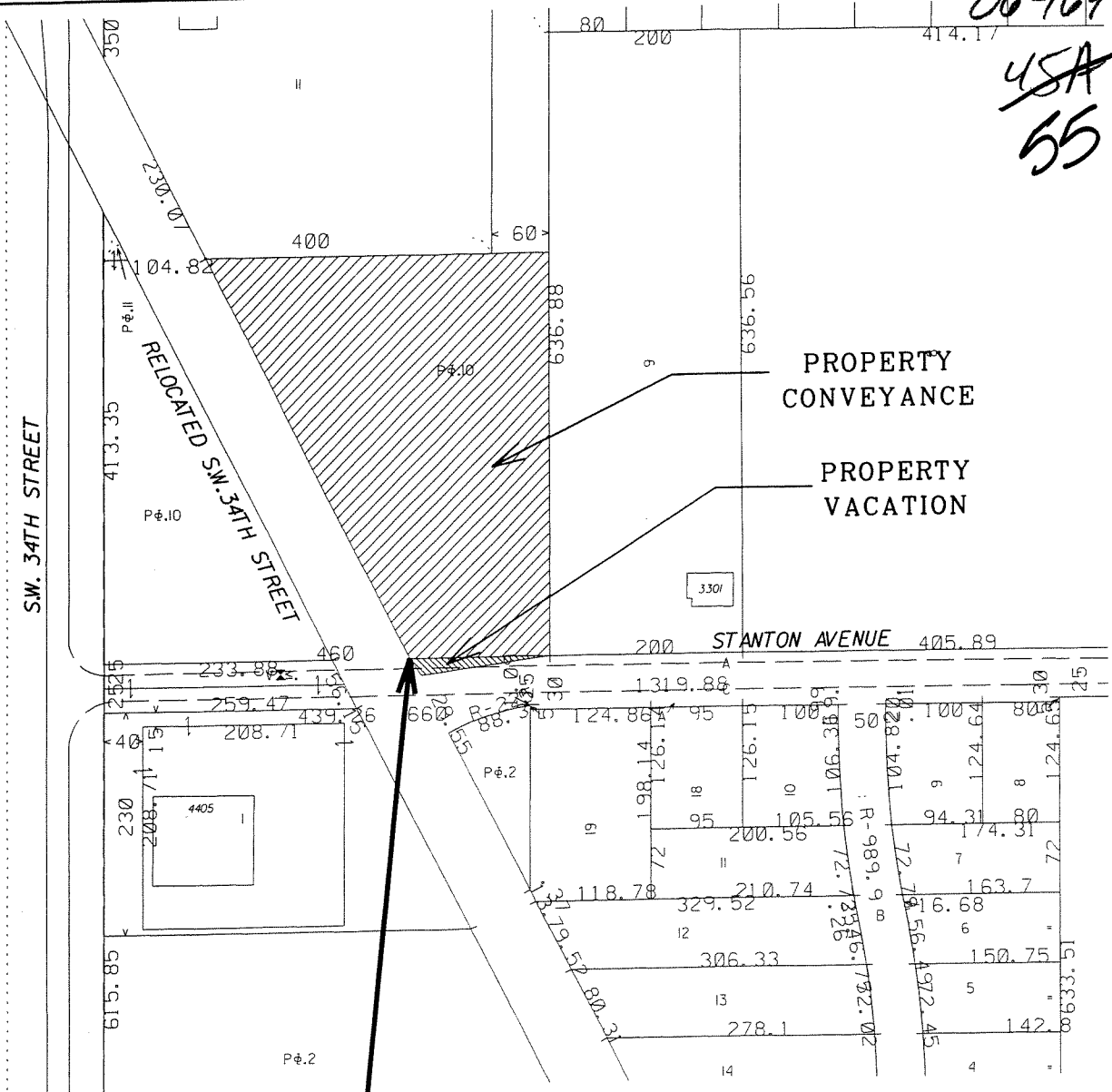
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

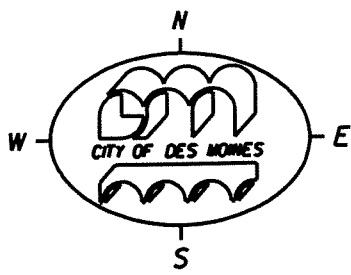
Mayor

City Clerk

06-169B
~~USA~~
65



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
AIRPORT-IANG-LAND DISPO
PARCEL #1; BUYER: ELLIS
ACTIVITY I.D. 34-2006-030**

55 A
06-1693

Prepared by: David A. Ferree, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of Stanton Avenue, subject to appropriate avigation easements.

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 a portion of Stanton Avenue, subject to appropriate avigation easements and building requirements that will mitigate aircraft noise, more specifically described as follows, be and is hereby vacated.

A PART OF THE SOUTHEAST ¼ OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SAID SECTION 19; THENCE NORTH 0°(DEGREES) 11'(MINUTES) 40"(SECONDS) EAST ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 19, A DISTANCE OF 1,348.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 89°50'18" EAST, 315.92 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCKINLEY AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°50'18" EAST ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 118.08 FEET; THENCE SOUTHWEST ALONG A 276.35 FOOT RADIUS CURVE, CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 22°17'09", A CHORD DISTANCE OF 106.81 FEET, AND A CHORD BEARING OF SOUTH 73°13'36" WEST, FOR AN ARC DISTANCE OF 107.49 FEET; THENCE NORTH 26°54'28" WEST, 34.94 FEET TO THE POINT OF

DESCRIPTION REVIEWED
David A. Ferree
06/16/06 12:28

48 A
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BEGINNING; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 1,465 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:



David A. Ferree
Assistant City Attorney