

★ **Roll Call Number**

Agenda Item Number

50A

Date October 23, 2006

An Ordinance entitled, "AN ORDINANCE vacating a portion of Maryland Pike right-of-way in the vicinity of 2300 Beaver Avenue",

presented.

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

FORM APPROVED:

(First of three required readings)

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

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

MOTION CARRIED

APPROVED

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.

 Mayor

 City Clerk

SOA

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

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of Maryland Pike right-of-way in the vicinity of 2300 Beaver Avenue.

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 Maryland Pike right-of-way in the vicinity of 2300 Beaver Avenue, more specifically described as follows, be and is hereby vacated.

All that part of Lot A, Maryland Park, an Official Plat, as recorded in Book G, Page 81, at the Polk County Recorder's Office, that lies within the following described lines, lying North of and adjoining to Lot 1, Block B, of said Maryland Park:

Beginning at the Northerly corner of said Lot 1, Maryland Park; thence North 41°(degrees) 24'(minutes) 36"(seconds) East, 11.00 feet; thence South 55°57'23" East, 106.26 feet to the beginning of a curve tangent to said line; thence Southeasterly along a 14.22 foot radius curve concave Southwest with a central angle of 57°30'46", a chord distance of 13.68 feet with a chord bearing of South 27°12'00" East, for an arc length of 14.27 feet; thence South 01°32'45" West, 39.69 feet to a point of cusp on a curve concave to the Southwest having a radius of 73.15 feet and a central angle of 17°06'31" and being subtended by a chord which bears North 37°11'10" West 21.76 feet; thence Northwesterly along said curve, 21.84 feet; thence North 45°22'26" West non-tangent to said curve, 97.31 feet to the beginning of a curve concave to the Southwest having a radius of 766.73 feet and a central angle of 1°52'31" and being subtended by a chord which bears North 46°09'49" West, 25.09 feet; thence Northwesterly along said curve, 25.09 feet to the Point of Beginning. Containing 0.07 ACRES (2641 sq. ft.), more or less.

DESCRIPTION APPROVED
[Signature]
12/03/06 07:47

And

AD
That portion of said Lot A, (Maryland Pike), lying South of a line being on the northerly extension of the East line of Lot 35, of said Maryland Park, 11.0 feet, thence northwesterly along a line to the Northwest corner of said Lot 35 to the point of terminus, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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.

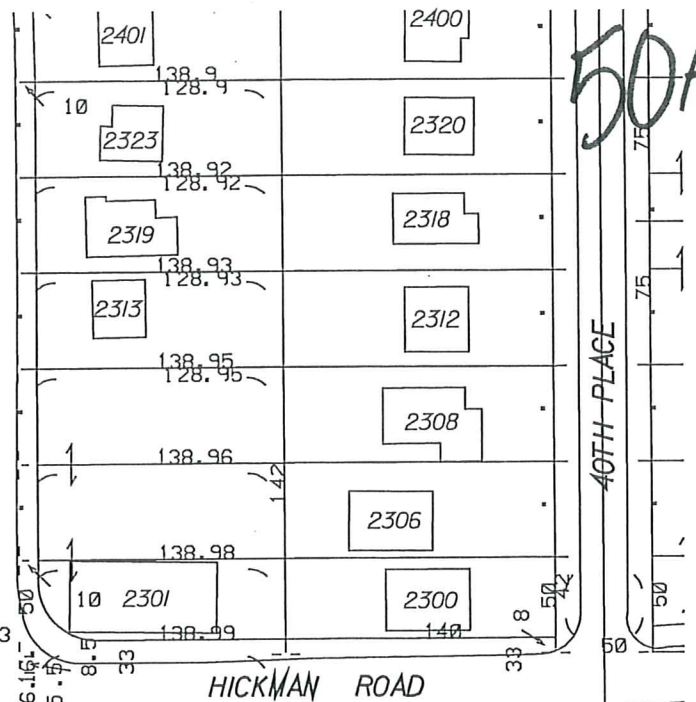
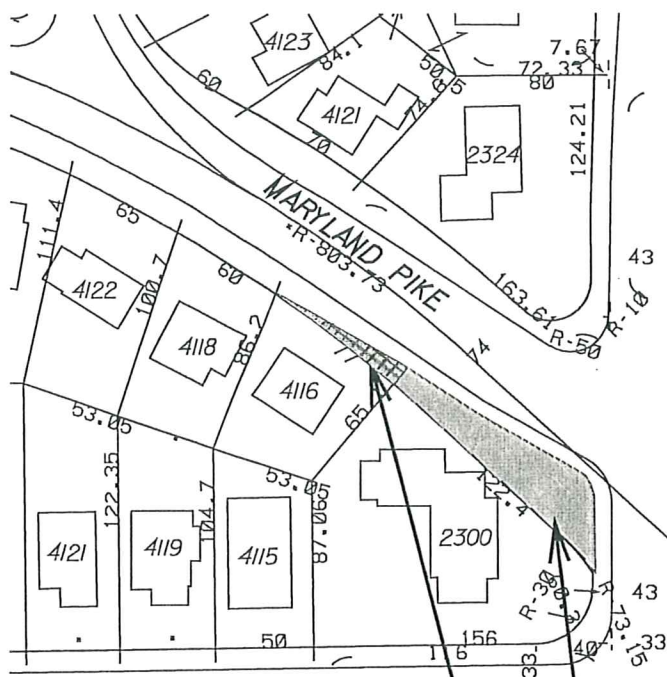
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

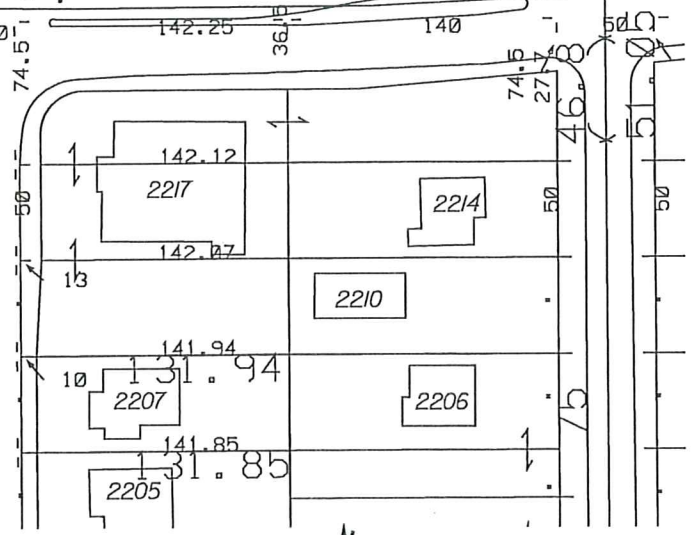
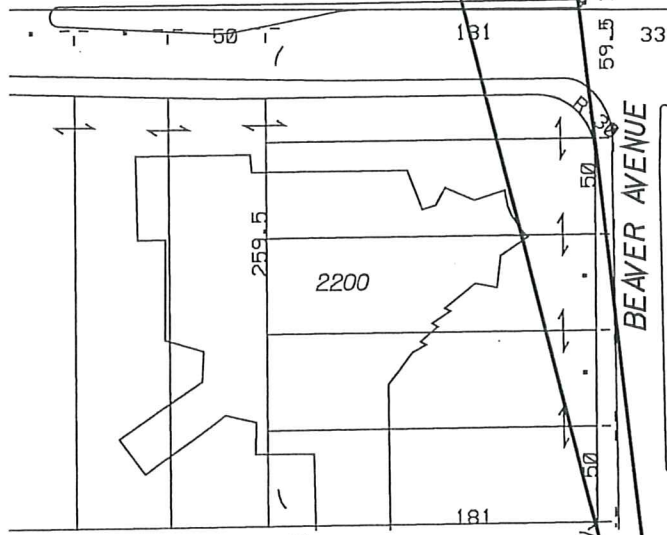
FORM APPROVED:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

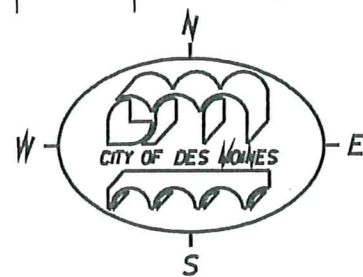


50A



BARKLEY

2300 BEAVER, L.L.C.



PROPERTY DISPOSITION
 ADJ 2300 BEAVER AVE
 2300 BEAVER L.L.C.
 ACTIVITY I.D. 34-2007-013