

★ Roll Call Number

Agenda Item Number

64A

Date December 18, 2006

An Ordinance entitled, "AN ORDINANCE vacating a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road",

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

Mayor

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.

City Clerk

64A

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 segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road.

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 segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road, more specifically described as follows, be and is hereby vacated.

A portion of Lot 59 in Lincoln Grande, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as:

Commencing at the Southwest corner of said Lot 59; thence North 45°(Degrees) 52'(Minutes) 35''(Seconds) East along the South line of said Lot 59, 100.00 feet to the point of beginning; thence North 17°39'56'' East, 23.07 feet; thence northwesterly along a 107.24 foot radius curve concave southwesterly, 120.39 feet, said curve having a chord length of 114.17 feet and a chord bearing of North 17°52'21'' West; thence North 51°32'57'' West, 59.80 feet to the West line of said Lot 59; thence northeasterly along the West line of said Lot 59 and along a non tangent 183.48 foot radius curve concave easterly, 149.82 feet, said curve having a chord length of 145.69 feet and a chord bearing of North 4°06'22'' East; thence northeasterly along the West line of said Lot 59 and along a 184.24 foot radius curve concave northwesterly, 10.45 feet, said curve having a chord length of 10.45 feet and a chord bearing of North 26°28'43'' East; thence northeasterly along the West line of said Lot 59 and along a 356.89 foot radius curve concave northwesterly, 34.97 feet, said curve having a chord

DESCRIPTION APPROVED
Ann DiDonato
11/27/06 14512


length of 34.95 feet and a chord bearing of North 22°52'11" East; thence South 22°05'42" East, 212.41 feet; thence southwesterly along a 147.79 foot radius curve concave westerly, 170.79 feet to the point of beginning, said curve having a chord length of 161.44 feet and a chord bearing of South 12°03'06" West. Said tract of land contains 19,642 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.

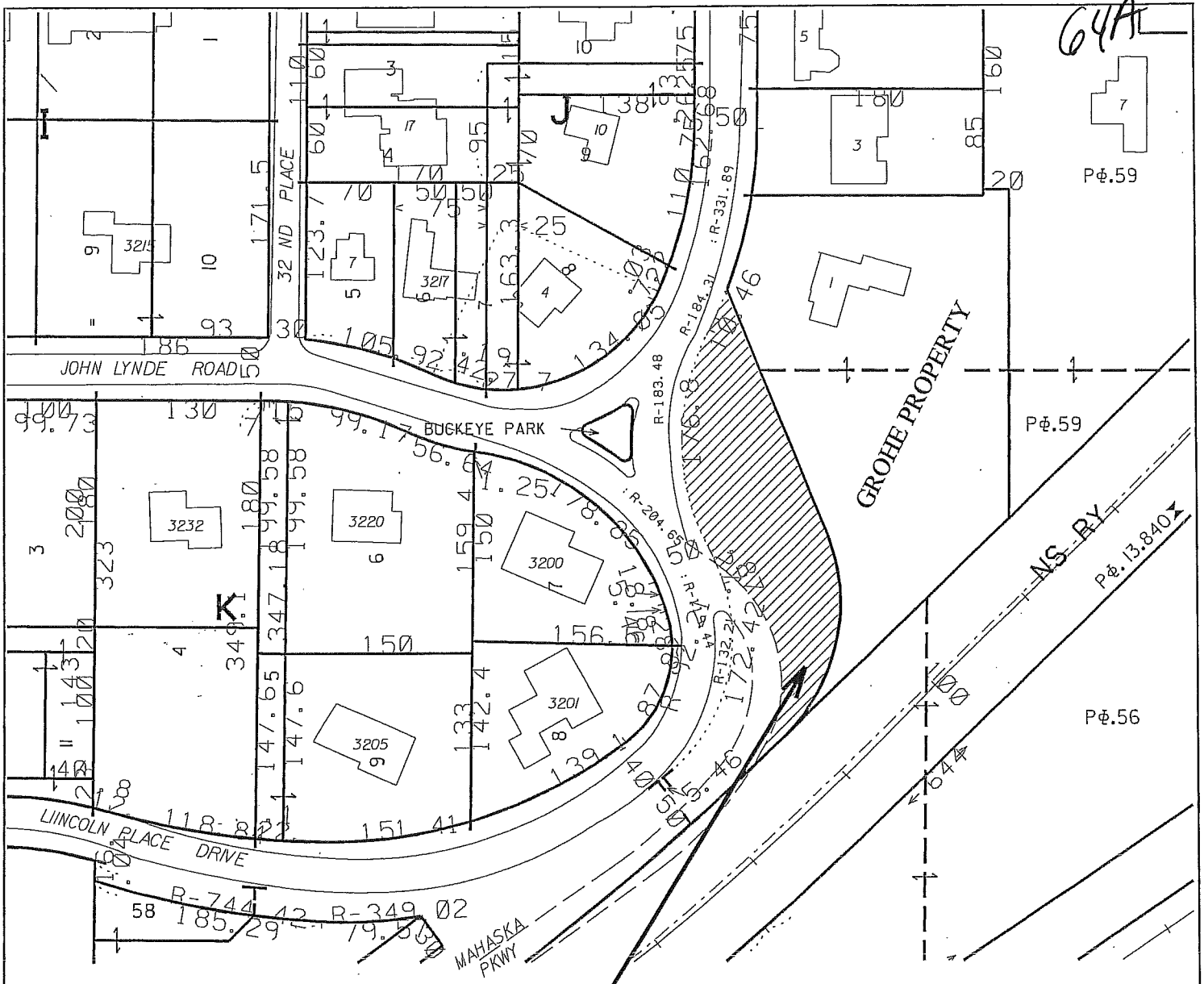
Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

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

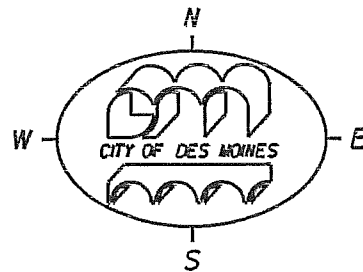
FORM APPROVED:



Ann DiDonato
Assistant City Attorney



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
MAHASKA PKWY AND
LINCOLN PLACE DRIVE/GROHE
ACTIVITY I.D. 34-2007-006**