

Date November 17, 2014

**SET HEARING FOR VACATION OF THE SOUTH 10 FEET OF OAK PARK AVENUE FROM 8<sup>TH</sup> STREET TO A POINT 400 FEET TO THE WEST TO ALLOW FOR DEDICATED PARKING ALONG THE STREET FOR SENIOR RESIDENTS OF OAK PARK MANOR**

WHEREAS, the Des Moines Municipal Housing Agency initiated a request for vacation of the south 10 feet of Oak Park Avenue from 8<sup>th</sup> Street to a point 400 feet to the west to allow for dedicated parking along the street for senior residents of Oak Park Manor; and

WHEREAS, on November 3, 2014, by Roll Call No. 14-1698, the City Council of the City of Des Moines received and filed a recommendation from the City Plan and Zoning Commission to approve the proposal to vacate the right-of-way identified above; and

WHEREAS, there is no known current or future public need or benefit for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way, subject to reservation of easements for any existing utilities currently located within the right-of-way.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the south 10 feet of Oak Park Avenue from 8<sup>th</sup> Street to a point 400 feet to the west to allow for dedicated parking along the street for senior residents of Oak Park Manor, legally described as follows:

A PART OF THE OAK PARK AVENUE RIGHT OF WAY IN OAK PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 18 IN SAID OAK PARK; THENCE NORTH AND PERPENDICULAR TO NORTH LINE OF SAID BLOCK, 5 FEET TO THE POINT OF BEGINNING; THENCE WEST AND PARALLEL TO SAID NORTH LINE, 400 FEET; THENCE NORTH AND PERPENDICULAR TO SAID NORTH LINE, 10 FEET; THENCE EAST AND PARALLEL TO SAID NORTH LINE, 400 FEET; THENCE SOUTH AND PERPENDICULAR TO SAID NORTH LINE, 10 FEET TO THE POINT OF BEGINNING, AND CONTAINING APROXIMATELY 4000 SQUARE FEET.

2. That the meeting of the City Council at which the proposed vacation of said right-of-way and adoption of said ordinance are to be considered shall be on December 8, 2014, said hearing to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached, not less than four nor more than twenty days before said meeting, in accordance with Section 362.3 of the Iowa Code.

★ **Roll Call Number**

**Agenda Item Number**


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Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 Cori Kuhn Coleman, Assistant City Attorney

*rs*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
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

**EXHIBIT A**

Euclid Ave

10 FT

Oak Park Ave

400 FT

5 FT

8th St

NE CORNER OF LOT 1

**BLOCK 18  
OAK PARK**

LOT 4

LOT 3

LOT 2

LOT 1

Ovid Ave

**Legend**

 PROJECT LOCATION

