

Date January 26, 2015

**SET HEARING FOR VACATION OF CITY-OWNED RIGHT-OF-WAY ON THE
NORTHEAST CORNER OF FLEUR DRIVE AND ARMY POST ROAD**

WHEREAS, the City of Des Moines Engineering Department initiated a request for vacation of a portion of City right-of-way on the northeast corner of Fleur Drive and Army Post Road; 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 a portion of City right-of-way on the northeast corner of Fleur Drive and Army Post Road, legally described as follows:

A PART OF LOTS "D" AND 17, GEIL PLACE AND A PART OF LOTS "A", 1 AND 2, AUDITOR'S PLAT FLEUR PLACE PLAT 2, BOTH BEING AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 24 WEST, OF THE 5TH P.M.; THENCE NORTH 00° (DEGREES) 05' (MINUTES) 57" (SECONDS) WEST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, 150.00 FEET; THENCE NORTH 89°54' 03" EAST, 50.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FLEUR DRIVE AS PRESENTLY ESTABLISHED; THENCE SOUTH 44°51' 22" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE, 21.95 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 44°51' 22" EAST, 119.73 FEET; THENCE SOUTH 89°52'01" EAST, 316.07 FEET; THENCE SOUTH 69°36'07" WEST, 370.21 FEET; THENCE NORTH 54°21'23" WEST, 60.17 FEET; THENCE NORTH 01°28'33" WEST, 179.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.73 ACRES (31619 S.F.).

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 February 9, 2015, 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

20

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Date January 26, 2015

Moved by _____ to adopt.

APPROVED AS TO FORM:

Cori Kuhn Coleman, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

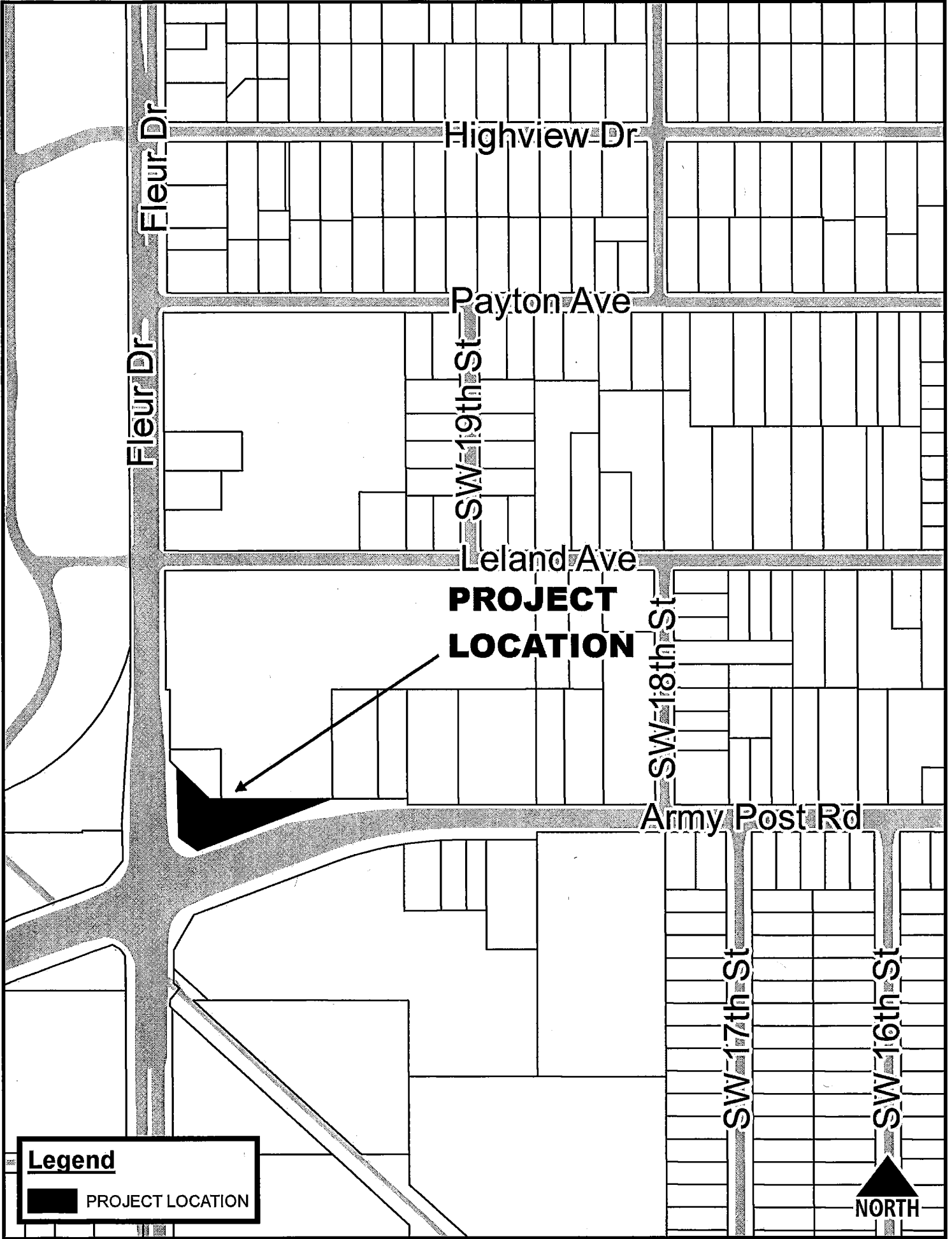
Mayor

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.

Clerk City



Highview Dr

Payton Ave

Leland Ave

**PROJECT
LOCATION**

Army Post Rd

Fleur Dr

Fleur Dr

SW 19th St

SW 18th St

SW 17th St

SW 16th St

Legend

PROJECT LOCATION

NORTH