

Date March 23, 2015

SET HEARING FOR VACATION OF PARKLAND IN PIONEER PARK AND DEDICATING IT AS PIONEER ROAD RIGHT-OF-WAY AND VACATION OF PIONEER ROAD RIGHT-OF-WAY WITHIN PIONEER PARK AND DEDICATING IT AS PARKLAND

WHEREAS, the City of Des Moines Parks and Recreation Department initiated a request for the vacation of parkland in Pioneer Park and its dedication as Pioneer Road right-of-way, and for the vacation of a portion of Pioneer Road right-of-way within Pioneer Park and its dedication as parkland; and

WHEREAS, there is no known current or future public need or benefit for the parkland or 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 parkland in Pioneer Park for the purpose of dedicating such parkland as Pioneer Road right-of-way, and adoption of an ordinance permanently vacating a portion of Pioneer Road right-of-way adjoining Pioneer Park for the purpose of dedicating said portion of right-of-way as parkland, all legally described as follows:

Legal Description of Parkland to be Vacated:

ALL OF THE SOUTH 20 FEET OF THE NORTH 94.45 FEET OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. LYING BETWEEN THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 5, PIONEER PLACE, AN OFFICIAL PLAT, AND THE WEST LINE OF SAID SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Legal Description of Pioneer Road to be Vacated:

ALL OF THE SOUTH 20 FEET OF THE NORTH 114.45 FEET OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. LYING BETWEEN THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 5, PIONEER PLACE, AN OFFICIAL PLAT, AND THE EAST LINE OF SAID SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14;

AND, ALL OF LOT "D" IN SAID PIONEER PLACE,

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

★ **Roll Call Number**

Agenda Item Number

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2. That the meeting of the City Council at which the proposed vacation of said parkland and the vacation of said right-of-way and adoption of said ordinances are to be considered shall be on April 6, 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.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, 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

EXHIBIT A

**NE 1/4 NW 1/4
SECTION 14-78-24**

PIONEER PARK

WEST LINE OF
SE 1/4 NW 1/4
SECTION 14-78-24

NORTH LINE OF
SE 1/4 NW 1/4
SECTION 14-78-24

94.45'

WEST LINE OF LOT 5
PIONEER PLACE

Pioneer Rd

20'

LOT 5

**SE 1/4 NW 1/4
SECTION 14-78-24**

PIONEER PLACE

SE 17th Ct


E Kirkwood Ave

SE 17th St

E Lacona Ave



Legend

 PROJECT LOCATION

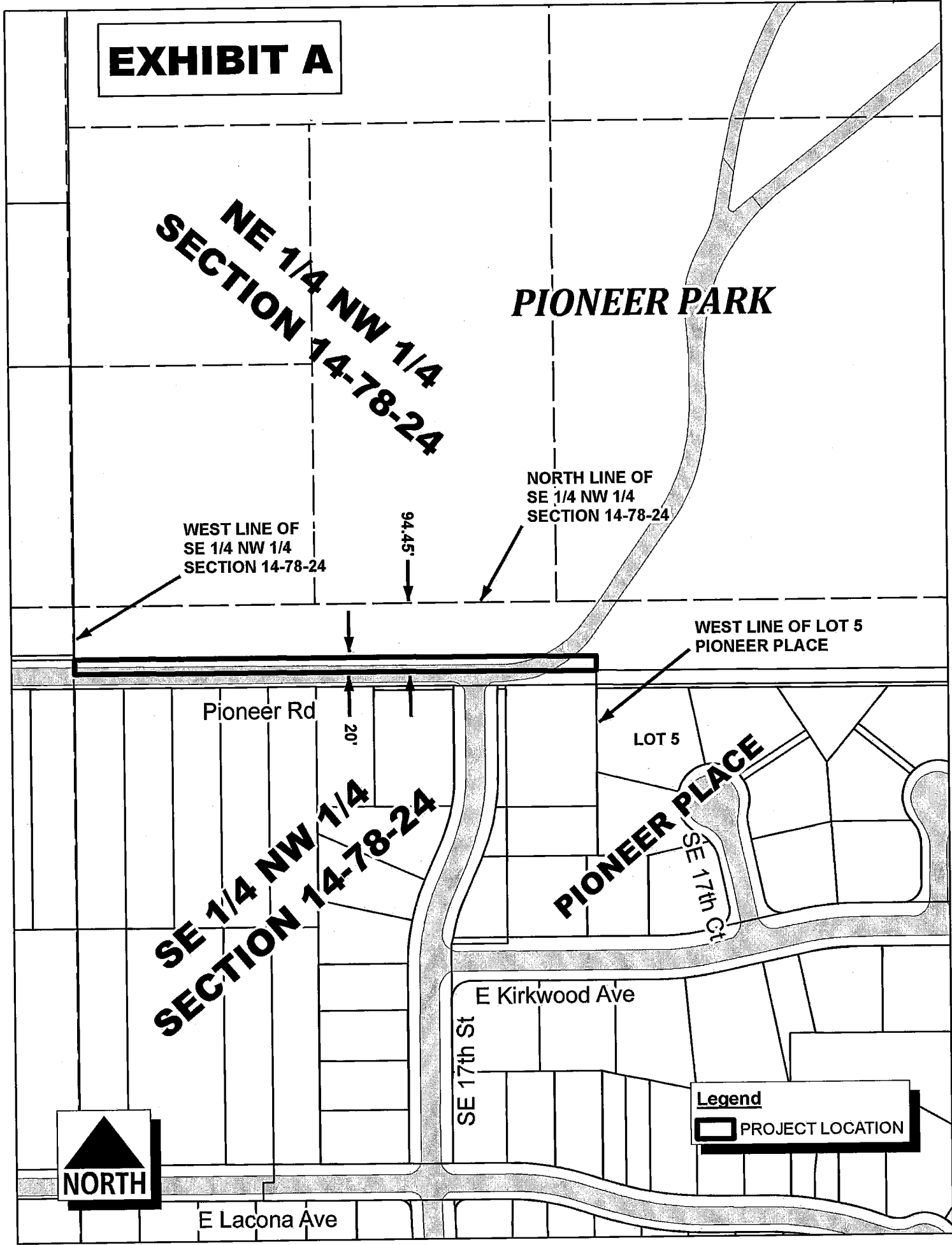


EXHIBIT A

**NE 1/4 NW 1/4
SECTION 14-78-24**

PIONEER PARK

NORTH LINE OF
SE 1/4 NW 1/4
SECTION 14-78-24

EAST LINE OF
SE 1/4 NW 1/4
SECTION 14-78-24

WEST LINE
OF LOT 5
PIONEER PLACE

**PT SE 1/4 NW 1/4
SECTION 14-78-24**

Pioneer Rd

SE-17th-St

LOT 5

LOT "D"

LOT "D"

PIONEER PLACE

SE 17th Ct

SE 18th St

E Kirkwood Ave



Legend

 PROJECT LOCATION