

★ **Roll Call Number**

Agenda Item Number
32

Date April 20, 2015

An Ordinance entitled, "AN ORDINANCE vacating a portion of parkland in Pioneer Park and a portion of Pioneer Road right-of-way adjoining Pioneer Park",

which was considered and voted upon under Roll Call No. 15- 0625 of April 6, 2015; again presented.

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

(Second of three required readings)

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

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.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

~~15-0625~~
32

Prepared by: Ann DiDonato, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4130

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of parkland in Pioneer Park and a portion of Pioneer Road right-of-way adjoining Pioneer Park.

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:

Sec. 1. That a portion of parkland in Pioneer Park and a portion of Pioneer Road right-of-way adjoining Pioneer Park, more specifically described as follows, be and is hereby vacated.

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.

15-06-25
32

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.

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