

Date August 24, 2015

**RESOLUTION DEDICATING EAST ELM STREET RIGHT-OF-WAY BETWEEN
SOUTHEAST 35TH STREET AND SOUTHEAST 36TH STREET**

WHEREAS, on September 23, 2013, by Roll Call 13-1508, the City Council of the City of Des Moines, Iowa, authorized acquisition of the necessary right-of-way and easements required for the UPRR Closing Mitigation Project by gift, negotiation or eminent domain; and

WHEREAS, as part of this project, property was acquired for construction of East Elm Street right-of-way between Southeast 35th Street and Southeast 36th Street; and

WHEREAS, the property described below and shown on the attached Acquisition Plats identifies the land appropriate for dedication for the East Elm Street right-of-way.

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

The parcel of City-owned land between Southeast 35th Street and Southeast 36th Street, legally described below and also shown on the attached Acquisition Plats, is hereby dedicated as public right-of-way for East Elm Street:

ALL THE EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 11 AND A PART OF LOTS 10 AND 11, BLOCK 1, JOHNSON PLACE, 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 SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 00° (DEGREES) 09' (MINUTES) 27" (SECONDS) EAST ALONG THE WEST LINE OF SAID BLOCK 1, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°09'27" EAST, 119.77 FEET TO THE INTERSECTION OF THE PROJECTED WEST LINE OF SAID BLOCK 1 AND THE NORTH LINE OF LOT "A" OF SAID JOHNSON PLACE; THENCE SOUTH 70°17'14" EAST ALONG SAID NORTH LINE, 275.26 FEET TO THE INTERSECTION OF THE PROJECTED EAST LINE OF SAID LOTS 10 AND 11; THENCE SOUTH 0°10'06" WEST ALONG SAID PROJECTED LINE, 63.67 FEET; THENCE NORTH 70°17'14" WEST 60.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF LOT A, 134.35 FEET; THENCE NORTH 76°53'45" WEST, 99.97 FEET; THENCE SOUTH 60°10'45" WEST, 32.81 FEET; THENCE SOUTH 25°01'33" WEST, 16.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.42 ACRES (18162 S.F.);

AND

★ Roll Call Number

Agenda Item Number

52

Date August 24, 2015

THE NORTHERLY 44.00 FEET (AS MEASURED PERPENDICULAR TO THE NORTHERLY LINE) OF LOT 1, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA AND CONTAINING 0.28 ACRES (12371 S.F.);

AND

THE EAST/WEST VACATED ALLEY LYING NORTH OF AND ADJOINING LOT 1, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES. CONTAINING 0.10 ACRES (4499 S.F.).

Moved by _____ to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

PSW

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

MOTION CARRIED

APPROVED

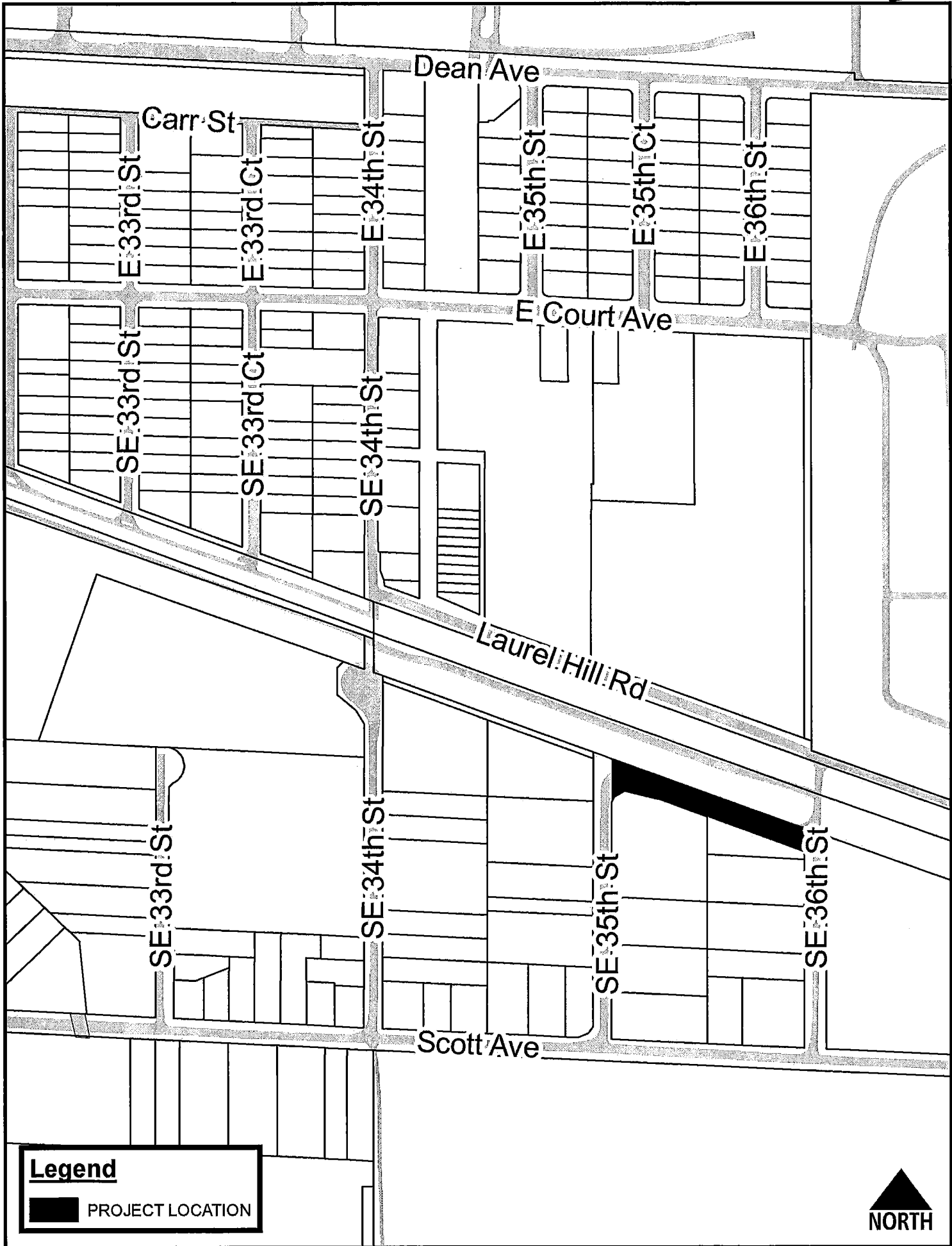
Mayor

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



Legend

■ PROJECT LOCATION

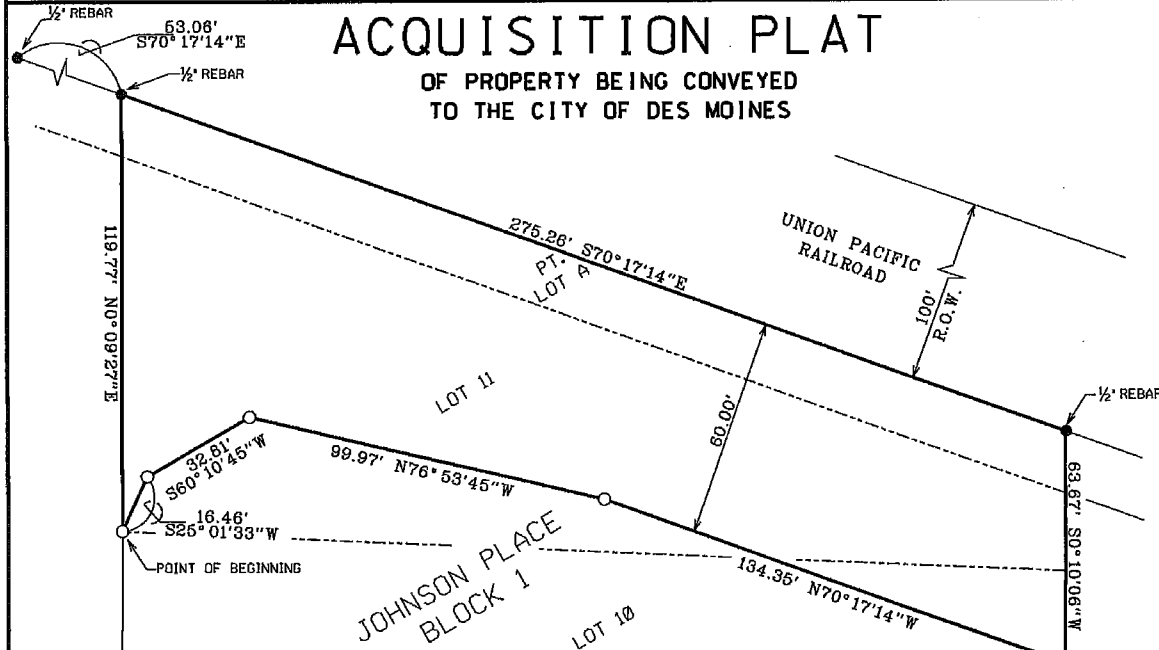


52

PREPARED BY AND RETURN TO APHAYMANY J. KHONGMALY, CITY OF DES MOINES - 400 ROBERT D. RAY DRIVE, DES MOINES, IOWA 50309 - 515-283-4050

ACQUISITION PLAT

OF PROPERTY BEING CONVEYED TO THE CITY OF DES MOINES



DESCRIPTION:

ALL THE EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 11 AND A PART OF LOTS 10 AND 11, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

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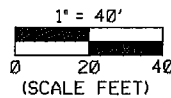
LEGEND

- FOUND MONUMENT (AS NOTED)
- SET 5/8" REBAR W/YELLOW PLASTIC CAP #20297 (UNLESS NOTED OTHERWISE)
- ▲ SECTION CORNER FOUND (AS NOTED)
- △ SECTION CORNER SET 5/8" REBAR W/YELLOW PLASTIC CAP #20297 (UNLESS NOTED OTHERWISE)
- +
- M MEASURED DIMENSION
- S SURVEYED DIMENSION
- R RECORDED DIMENSION
- D DEEDED DIMENSION
- OPC ORANGE PLASTIC CAP
- YPC YELLOW PLASTIC CAP
- FEE SIMPLE INTEREST
- SECTION LINE
- PROPERTY LINE
- LOT LINE

SE 35TH STREET
 (60.00' R.O.W.)

5/8" REBAR SW CORNER LOT 10, BLOCK 1

1/2" REBAR SE CORNER LOT 9, BLOCK 1



DSM GRID NORTH

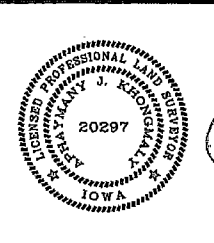
SURVEY REQUESTED BY:
 CITY OF DES MOINES
 400 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309

OWNER: DEAN E. LETTINGTON
 RUBY N. LETTINGTON

ADDRESS: 405 SE 35TH STREET
 DES MOINES, IA 50317

DATE OF SURVEY: 11-26-2013 TAX PARCEL NO.: 050/02379-002-000

EPS 9-19-14



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

9/19/2014 (date)

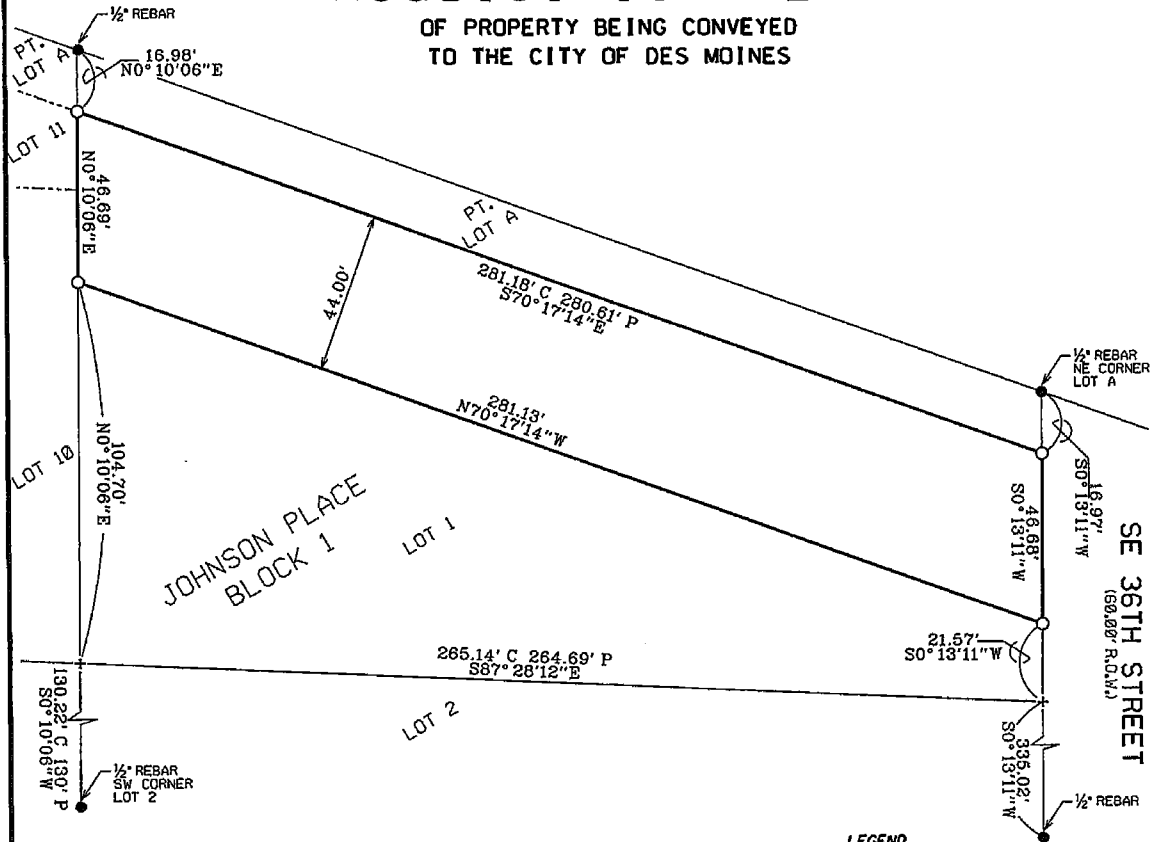
(Signature)
 APHAYMANY J. KHONGMALY
 LICENSE NO. 20297
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014
 PAGES OR SHEETS COVERED BY THIS SEAL: 1 OF 1

DEPARTMENT OF ENGINEERING CITY OF DES MOINES, IOWA (515) 283-4931	
SE 34th/SE 36th Improv @ UPRR ACT. I.D. 06-2014-004	PT-4
EXHIBIT	
SHEET	1 OF 1

PREPARED BY AND RETURN TO APHAYMANY J. KHONGMALY, CITY OF DES MOINES - 400 ROBERT D. RAY DRIVE, DES MOINES, IOWA 50309 - 515-283-4050

ACQUISITION PLAT

OF PROPERTY BEING CONVEYED TO THE CITY OF DES MOINES



SURVEY REQUESTED BY:
CITY OF DES MOINES
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309

ADDRESS: 404 SE 36TH STREET
DES MOINES, IA 50317

OWNER: MICHAEL P. SIGNS

DATE OF SURVEY: 11-26-2013

TAX PARCEL NO.: 050/02370-000-000

DESCRIPTION:

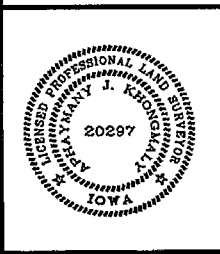
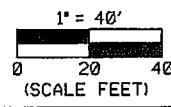
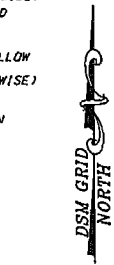
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- C CALCULATED DIMENSION
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- R RECORDED DIMENSION
- D DEEDED DIMENSION
- OPC ORANGE PLASTIC CAP
- YPC YELLOW PLASTIC CAP

□ FEE SIMPLE INTEREST

- SECTION LINE
- PROPERTY LINE
- LOT LINE



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(Signature) 4-4-2014
(date)

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Rev/By	SHEET 1 OF 1

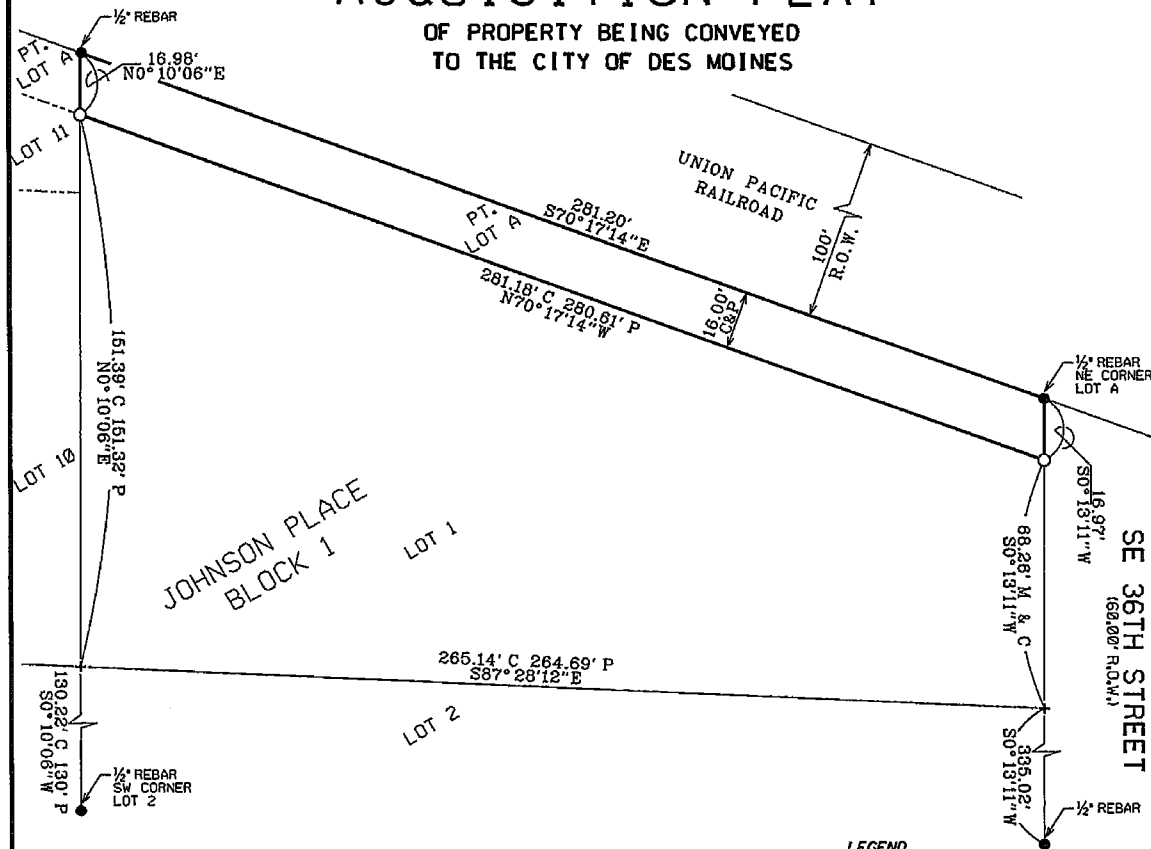
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4/4/2014 1:59:25 PM T:\ENG\Design\06\2014\084\Plots\06-2014-084-Parcel 6.fwg

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DATE OF SURVEY: 11-26-2013

ADDRESS: N/A
DES MOINES, IA 50317

OWNER: MICHAEL J. NERVIG

TAX PARCEL NO.: 050/02370-002-000

DESCRIPTION:

TAX SALE DEED
BOOK 13105, PAGE 511

E/W VAC ALLEY N & ADJ LOT 1 BLK 1 JOHNSON PLACE, AN OFFICIAL PLAT
NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES.

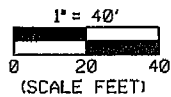
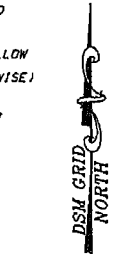
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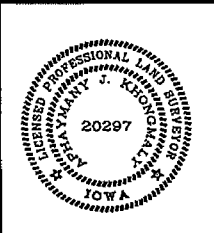
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