

★ Roll Call Number

Agenda Item Number

47A

Date December 21, 2015

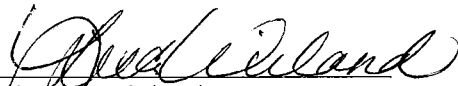
An Ordinance entitled, "AN ORDINANCE vacating a segment of 35th Street right-of-way adjoining 3501 Ingersoll Avenue",

presented.

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

FORM APPROVED:

(First of three required readings)


Lisa A. Wieland
Assistant City Attorney

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

47A

Prepared by: Lisa A. Wieland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4124
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating a segment of 35th Street right-of-way adjoining 3501 Ingersoll Avenue.

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 segment of 35th Street right-of-way adjoining 3501 Ingersoll Avenue, more specifically described as follows, be and is hereby vacated:

A PORTION OF THE 35TH STREET RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 29 IN THE OFFICIAL PLAT OF LOT 1 OF THE OFFICIAL PLAT OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW LOCATED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

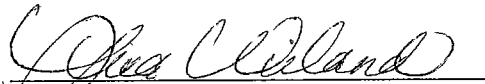
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 29; THENCE N00°06'12"W, ALONG THE EAST LINE OF SAID LOT 29, A DISTANCE OF 12.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°06'12"W, ALONG SAID EAST LINE, A DISTANCE OF 108.23 FEET TO THE NORTH LINE OF SAID LOT 29; THENCE S89°56'06"E, ALONG SAID NORTH LINE, A DISTANCE OF 0.27 FEET TO AN EXISTING BUILDING WALL; THENCE S00°00'54"W, ALONG SAID BUILDING WALL, A DISTANCE OF 108.23 FEET; THENCE N89°47'21"W, A DISTANCE OF 0.05 FEET TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY 17.179 SQUARE FEET.

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:

A handwritten signature in cursive script, appearing to read "Lisa A. Wieland", is written over a horizontal line.

Lisa A. Wieland
Assistant City Attorney