

★ **Roll Call Number**

Agenda Item Number

59A

Date February 22, 2016


An Ordinance entitled, "AN ORDINANCE vacating approximately 0.61 acres of Allen Park",

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				
MOORE				
WESTERGAARD				
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

59 A

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 approximately 0.61 acres of Allen Park.

WHEREAS, all prior requirements of law pertaining to the vacation of public parkland have been fully observed; and

WHEREAS, it is desirable that the public parkland herein described be vacated;

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

Sec. 1. That approximately 0.61 acres of Allen Park, more specifically described as follows, be and is hereby vacated:

A PART OF VACATED MAURY STREET SOUTH OF BLOCK 58 IN THE TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 58, TOWN OF DE MOINE; THENCE SOUTH 14°57'04" EAST, 80.00 FEET TO THE NORTHEAST CORNER OF BLOCK 66, TOWN OF DE MOINE; THENCE SOUTH 74°59'11" WEST ALONG THE NORTHERLY LINE OF SAID BLOCK 66, A DISTANCE OF 297.50 FEET; THENCE NORTH 14°57'04" WEST, 14.88 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 45.00 FEET, WHOSE ARC LENGTH IS 73.02 FEET AND WHOSE CHORD BEARS NORTH 61°26'13" WEST, 65.27 FEET; THENCE NORTH 14°57'04" WEST, 20.13 FEET TO THE SOUTH LINE OF SAID BLOCK 58 AND THE WESTERLY EXTENSION THEREOF; THENCE NORTH 74°59'11" EAST ALONG SAID SOUTH LINE, 344.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.61 ACRES (26,449 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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".

Lisa A. Wieland

Assistant City Attorney