



Roll Call Number

Agenda Item Number

59B

Date February 22, 2016

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


which was considered and voted upon under Roll Call No. 16-_____ of February 22, 2016; again presented.

Moved by _____ that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO. _____

NOTE: Waiver of this rule is requested by Troy Hansen.

FORM APPROVED:


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

59B

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