

★ Roll Call Number

Agenda Item Number

52A

Date December 4, 2017


An Ordinance entitled, "AN ORDINANCE vacating a portion of Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery",

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

52A

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 portion of Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery.

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 Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery, more specifically described as follows, be and is hereby vacated:

A PART OF LOTS 4 AND 5, BLOCK D, KUHN'S ADDITION, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 15, STEWART'S AND BECKINGTON'S SUBDIVISION, AN OFFICIAL PLAT; THENCE SOUTH 89°40'17" EAST ALONG THE SOUTH LINE OF SAID STEWART'S AND BECKINGTON'S SUBDIVISION, 275.86 FEET TO THE NORTHWEST CORNER OF LOT 6, SAID BLOCK D; THENCE SOUTH 89°40'17" EAST ALONG THE NORTH LINE OF SAID LOTS 6 AND 5, BLOCK D, 77.03 FEET; THENCE SOUTH 0°19'43" WEST, 80.20 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 84°09'23" EAST, 25.00 FEET; THENCE SOUTH 5°50'37" WEST, 20.00 FEET; THENCE NORTH 84°09'23" WEST, 25.00 FEET; THENCE NORTH 5°50'37" EAST, 20.00 TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (500 S.F.).

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.

52A

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:



Lisa A. Wieland
Assistant City Attorney