

★ **Roll Call Number**

**Agenda Item Number**

47

Date April 23, 2018

An Ordinance entitled, "AN ORDINANCE vacating portions of Grand Avenue right-of-way adjoining 665 Grand Avenue",

which was considered and voted upon under Roll Call No. 18- 0611 of April 9, 2018; again presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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

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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 portions of Grand Avenue right-of-way adjoining 665 Grand 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 portions of Grand Avenue right-of-way adjoining 665 Grand Avenue, more specifically described as follows, be and is hereby vacated:

A PART OF LOT 1 OF THE OFFICIAL PLAT OF LOTS 4 & 5 BLOCK E GRIMMEL'S ADDITION, 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 SOUTHEAST CORNER OF SAID LOT 1, BLOCK E; THENCE NORTH 15°D21'23" WEST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET TO THE NORTH LINE OF THE SOUTH 7.00 FEET OF SAID LOT 1; THENCE SOUTH 74°d12'27" WEST ALONG SAID NORTH LINE, 34.47 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°D47'33" EAST, 6.25 FEET; THENCE SOUTH 74°d12'27" WEST, 21.00 FEET; THENCE NORTH 15°d47'33" WEST, 6.25 FEET TO SAID NORTH LINE; THENCE NORTH 74°d12'27" EAST ALONG SAID NORTH LINE, 21.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 131 S.F. WHICH IS BELOW A PLANE ELEVATION OF 50.30 FEET CITY DATUM AND WHICH IS ABOVE A PLAN ELEVATION OF 48.30 FEET CITY DATUM, CURRENT GROUND ELEVATION 41.30 FEET;

AND

A PART OF LOT 1 OF THE OFFICIAL PLAT OF LOTS 4 & 5 BLOCK E GRIMMEL'S ADDITION, 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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COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK E; THENCE NORTH 15°D21'23" WEST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET TO THE NORTH LINE OF THE SOUTH 7.00 FEET OF SAID LOT 1; THENCE SOUTH 74°d12'27" WEST ALONG SAID NORTH LINE, 0.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°D47'33" EAST, 3.00 FEET; THENCE SOUTH 74°d12'27" WEST, 65.50 FEET; THENCE NORTH 15°d47'33" WEST, 3.00 FEET TO SAID NORTH LINE; THENCE NORTH 74°d12'27" EAST ALONG SAID NORTH LINE, 65.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 197 S.F. WHICH IS BELOW A PLANE ELEVATION OF 87.50 FEET CITY DATUM AND WHICH IS ABOVE A PLAN ELEVATION OF 55.00 FEET CITY DATUM, CURRENT GROUND ELEVATION 41.30 FEET;

AND

A PART OF LOT 1 OF THE OFFICIAL PLAT OF LOTS 4 & 5 BLOCK E GRIMMEL'S ADDITION, 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 SOUTHEAST CORNER OF SAID LOT 1, BLOCK E; THENCE NORTH 15°D21'23" WEST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 7.00 FEET TO THE NORTH LINE OF THE SOUTH 7.00 FEET OF SAID LOT 1; THENCE SOUTH 74°d12'27" WEST ALONG SAID NORTH LINE, 1.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°D47'33" EAST, 2.00 FEET; THENCE SOUTH 74°d12'27" WEST, 63.50 FEET; THENCE NORTH 15°d47'33" WEST, 2.00 FEET TO SAID NORTH LINE; THENCE NORTH 74°d12'27" EAST ALONG SAID NORTH LINE, 63.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 127 S.F.

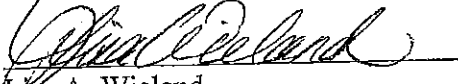
PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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 and further subject to the requirement that any proposed structure be constructed in compliance with a City-approved site plan.

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