

Date August 6, 2018

**SET HEARING FOR VACATION OF A PORTION OF VAN BUREN STREET RIGHT-OF-WAY BETWEEN SOUTHEAST 4<sup>TH</sup> STREET AND SOUTHEAST 5<sup>TH</sup> STREET FOR THE SE 4<sup>TH</sup> STREET AND VAN BUREN STREET STORM WATER PUMP STATION PROJECT**

**WHEREAS**, vacation of a portion of Van Buren Street right-of-way between Southeast 4<sup>th</sup> Street and Southeast 5<sup>th</sup> Street is required for the construction of the SE 4th Street and Van Buren Street Storm Water Pump Station Project, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated; and

**WHEREAS**, said portion of Van Buren Street is undeveloped and inactive right-of-way and the City Engineer and City Traffic Engineer have determined that there is no known current or future public need for the portion of Van Buren Street right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation of said property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating a portion of Van Buren Street right-of-way between Southeast 4<sup>th</sup> Street and Southeast 5<sup>th</sup> Street legally described as follows:

THAT PART OF EXISTING VAN BUREN STREET RIGHT-OF-WAY IN THE OFFICIAL PLAT OF THAT PART OF LOT 2 OF THE OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10-78-24, MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF BLOCK 11 OF THE SECOND PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT; THENCE 206.89' (M) N14° 21' 19.35"E TO THE POINT OF BEGINNING; THENCE 37.91' (M) N24° 47' 47.31"E, THENCE 34.27' (M) N65° 10' 15.58"W, THENCE 91.06' (M) N63° 54' 33.65"W, THENCE 28.85' (M) N26° 05' 26.35"E, THENCE 851.97' (M) S63° 54' 33.65"E, THENCE 66.02' (M) S24° 47' 47.31"W, THENCE 305.53' (M) N63° 54' 33.65"W TO POINT OF BEGINNING.

2. That the meeting of the City Council at which the adoption of said ordinance vacating such right-of-way is to be considered shall be on August 20, 2018, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

★ Roll Call Number

Agenda Item Number

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Date August 6, 2018

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Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Lisa A. Wieland*  
Lisa A. Wieland, Assistant City Attorney

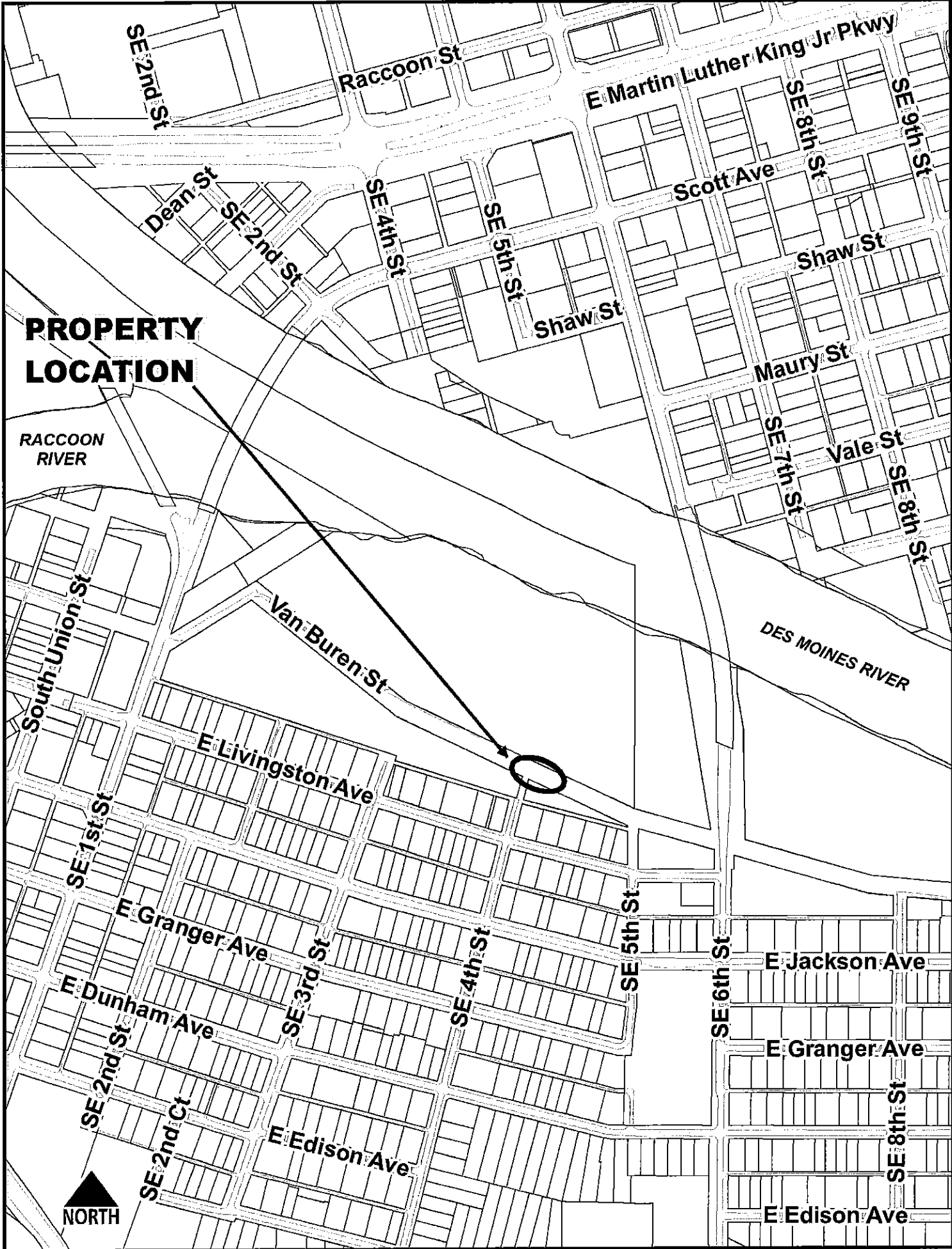
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

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



**PROPERTY  
LOCATION**

RACCOON  
RIVER

DES MOINES RIVER

