



**Roll Call Number**

**Agenda Item Number**

SIA

Date August 6, 2018


An Ordinance entitled, "AN ORDINANCE vacating a portion of Woodland Avenue right-of-way located north of and adjoining 616 10<sup>th</sup> Street",

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				
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

SIA

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 Woodland Avenue right-of-way located north of and adjoining 616 10<sup>th</sup> Street.

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 Woodland Avenue right-of-way located north of and adjoining 616 10<sup>th</sup> Street, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND LOCATED IN THE RIGHT-OF-WAY OF WOODLAND AVENUE, ALSO BEING LOCATED IN HOLCOMB'S ADDITION TO FORT DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. COMMENCING AT THE NORTHEAST CORNER OF LOT 5 OF SAID HOLCOMB'S ADDITION TO FORT DES MOINES; THENCE S79°55'09"W, 4.90 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF WOODLAND AVENUE TO THE POINT OF BEGINNING AT THE INTERSECTION OF AN EXISTING BUILDING AT 616 10TH STREET AND SAID RIGHT-OF-WAY LINE; THENCE N15°44'01"W, 0.47 FEET; THENCE S79°50'02"W, 83.91 FEET; THENCE S15°46'05"E, 0.35' FEET TO THE INTERSECTION OF SAID BUILDING LINE AND SAID RIGHT-OF-WAY LINE; THENCE N79°55'09"E, 83.92 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 35 SQUARE FEET WHICH CONTAINS THE EXISTING BUILDING AND ALL OVERHANGS AND APPURTENANCES THAT EXTEND INTO WOODLAND AVENUE RIGHT-OF-WAY, WHICH IS BELOW A PLANE ELEVATION OF 91.4 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 59.3 FEET CITY DATUM. GROUND ELEVATION BEING BETWEEN 59.3 AND 61.2 FEET CITY DATUM.


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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:



Lisa A. Wieland  
Assistant City Attorney