

★ Roll Call Number

Agenda Item Number
57A

Date September 10, 2018


An Ordinance entitled, "AN ORDINANCE vacating a portion of 6th Avenue Street right-of-way and east-west alley right-of-way adjoining 206 6th Avenue",

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	

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.

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 a portion of 6th Avenue Street right-of-way and east-west alley right-of-way adjoining 206 6th 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 a portion of 6th Avenue Street right-of-way and east-west alley right-of-way adjoining 206 6th Avenue, more specifically described as follows, be and is hereby vacated:

Part of the East-West Alley lying North of and adjoining Lot 6 in Block 11 of FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 6 in Block 11 of FORT DES MOINES; thence South 74°13'29" West, 37.72 feet along the North line of said Lot 6 to the Point of Beginning; thence continuing South 74°13'29" West, 4.00 feet along the North line of said Lot 6; thence North 15°46'31" West, 4.00 feet; thence North 74°13'29" East, 4.00 feet; thence South 15°46'31" East, 4.00 feet to the point of beginning.

Containing 16 square feet, more or less,

and;

Part of the East-West Alley lying North of and adjoining Lot 6 in Block 11 of FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 6 in Block 11 of FORT DES MOINES; thence South $74^{\circ}13'29''$ West, 53.35 feet along the North line of said Lot 6 to the Point of Beginning; thence continuing South $74^{\circ}13'29''$ West, 8.43 feet along the North line of said Lot 6; thence North $15^{\circ}46'31''$ West, 3.00 feet; thence North $74^{\circ}13'29''$ East, 8.43 feet; thence South $15^{\circ}46'31''$ East, 3.00 feet to the point of beginning.

Containing 25 square feet, more or less,

and;

Part of the East-West Alley lying North of and adjoining Lot 6 in Block 11 of FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 6 in Block 11 of FORT DES MOINES; thence South $74^{\circ}13'29''$ West, 16.03 feet along the North line of said Lot 6 to the Point of Beginning; thence continuing South $74^{\circ}13'29''$ West, 18.67 feet along the North line of said Lot 6; thence North $15^{\circ}46'31''$ West, 3.00 feet; thence North $74^{\circ}13'29''$ East, 18.67 feet; thence South $15^{\circ}46'31''$ East, 3.00 feet to the point of beginning.

Containing 56 square feet, more or less,

and;

That part of 6th Avenue right-of-way adjoining Lots 5 and 6 in Block 11 of FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Southeast corner of said Lot 5 in Block 11 of FORT DES MOINES; thence North $15^{\circ}25'50''$ West, 58.69 feet along the West right-of-way line of said 6th Avenue, also being East line of said Block 11, to the Point of Beginning; thence continuing North $15^{\circ}25'50''$ West, 15.83 feet along the West right-of-way line of said 6th Avenue; thence North $74^{\circ}34'10''$ East, 9.58 feet; thence South $15^{\circ}25'50''$ East, 15.83 feet; thence South $74^{\circ}34'10''$ West, 9.58 feet to the point of beginning.

Lying above elevation 43.00 feet, City of Des Moines Vertical Datum (reference ground level elevation of 33.57 feet, City of Des Moines Vertical Datum).

Horizontally containing 152 square feet, more or less.

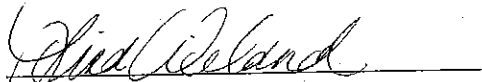
Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

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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