



Roll Call Number

Agenda Item Number

40A

Date October 8, 2018

An Ordinance entitled, "AN ORDINANCE vacating a portion of NE 47th Court, south of Hubbell 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

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

40A

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 NE 47th Court, south of Hubbell 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 NE 47th Court, south of Hubbell Avenue, more specifically described as follows, be and is hereby vacated:

PARCEL 2018-154

PART OF LOT A IN GLENN ACRES, 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:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 41 IN SAID GLENN ACRES, A POINT ON THE WEST LINE OF SAID LOT A; THENCE NORTH 00°(DEGREES) 04'(MINUTES) 01"(SECONDS) EAST, 344.45 FEET ALONG THE WEST LINE OF SAID LOT A TO THE SOUTHEAST CORNER OF THAT EASEMENT FOR HIGHWAY PURPOSES ACROSS SAID LOT 41 FILED IN BOOK 4389 AT PAGE 709 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE NORTH 53°06'52" EAST, 51.15 FEET TO THE SOUTHWEST CORNER OF THAT EASEMENT FOR HIGHWAY PURPOSES ACROSS LOT 42 IN SAID GLENN ACRES FILED IN BOOK 4641 AT PAGE 775 IN THE OFFICE OF THE POLK COUNTY RECORDER, A POINT ON THE EAST LINE OF SAID LOT A; THENCE SOUTH 00°12'01" WEST, 375.29 FEET ALONG THE EAST LINE OF SAID LOT A; THENCE NORTH 89°47'59" WEST, 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,545 SQUARE FEET.

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:

A handwritten signature in cursive script, appearing to read "Lisa A. Wieland", is written over a horizontal line.

Lisa A. Wieland

Assistant City Attorney