

★ Roll Call Number

Agenda Item Number

600A

Date December 17, 2018


An Ordinance entitled, "AN ORDINANCE vacating various street and alley of rights-of-way located between SE 7<sup>th</sup> Street and SE 10<sup>th</sup> Street and between E. Court Street and E. Market 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

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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 various street and alley of rights-of-way located between SE 7<sup>th</sup> Street and SE 10<sup>th</sup> Street and between E. Court Street and E. Market 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 various street and alley of rights-of-way located between SE 7<sup>th</sup> Street and SE 10<sup>th</sup> Street and between E. Court Street and E. Market Street, more specifically described as follows, be and is hereby vacated:

PARCEL 2018-174

A part of East Vine Street, Southeast 9<sup>th</sup> Street and alley in Block 20 in the Town of De Moine, as recorded in Book A, Page 188, in the Office of the Recorder, Polk County, Iowa described as follows;

Beginning at the SW corner of Block 13 of said Town of De Moine; thence N74°56'49"E along the south line of Blocks 13 and 12 of said Town of De Moine, 697.82 feet to the SE corner of Block 12; thence N14°55'06"W along the east line of said Block 12, 5.32 feet to a point 20 feet south of and normal to the centerline of the southernmost track of the north spur of the Iowa Interstate Railroad; thence Easterly along a line 20 feet south of and normal to the centerline of said southernmost track of the north spur on an arc of 85.08 feet, of a 1883.70-foot radius curve to the right, having a chord length of 85.07 feet, bearing S81°38'01"E; thence S80°30'58"E along a line 20 feet south of and normal to the centerline of said southernmost track of the north spur, 123.63 feet to a point on the north line of Block 21 of said Town of De Moine; thence S74°53'53"W along said north line of Block 21, 111.04 feet to the NW corner of said Block 21; thence S14°41'45"E along the west line of said Block 21, 84.72 feet to a point 15 feet, normal to the centerline of the Iowa Interstate Railroad northernmost track of the main line (formerly the track of the Chicago, Rock

Island and Pacific Railroad Company); thence S88°42'35"W along a line 15 feet north of and parallel to said centerline, 82.24 feet to a point on the east line of Block 20, said Town of De Moine; thence N14°41'45"W along said east line of said Block 20, 65.09 feet to the NE corner of said Block 20; thence S74°56'49"W along the north line of said Block 20, 139.90 feet to the NW corner of Lot 10 of said Block 20; thence S14°43'15"E along the west line of said Lot 10, 30.88 feet to a point 15 feet north of and normal to the centerline of the northernmost track of main line; thence S88°42'35"W along a line 15 feet north of and parallel to the centerline of said track, 20.56 feet to a point on the east line of Lot 1 of said Block 20; thence N14°43'15"W along the easterly line of said Lot 1, 25.99 feet to the NE corner of said Lot 1; thence S74°56'49"W along the north line of Block 20, 104.28 feet to a point 30 feet north of and normal to the centerline of the Iowa Interstate Railroad main track; thence S88°43'20"W along a line 30 feet north of and parallel to the centerline of said main track, 20.69 feet; thence Westerly along a line 30 feet north of and parallel to the centerline of said main track on an arc of 367.37 feet, of a 3217.87-foot radius curve to the left, having a chord length of 367.17 feet, bearing S85°45'47"W; thence S81°39'48"W along a line 30 feet north of and parallel to the centerline of said main track, 52.77 feet to the Point of Beginning, containing 1.17 acres or 51,080 square feet.

PARCEL 2018-175

A part of the north-south alley and east-west alley located in Block 21, Town of De Moine, as recorded in Book A, Page 188, as recorded in the Office of the Recorder, Polk County, Iowa, described as follows;


Commencing as a point of reference at the SE corner of said Block 21; thence N15°02'36"W along the east line of said Block 21, 142.53 feet to the NE corner of Lot 8 of said Block 21 and the Point of Beginning; thence S74°59'17"W along the north line of Lots 8, 7 and 6 of said Block 21, 118.78 feet to a point 15 feet, north of and normal to the centerline of the Iowa Interstate Railroad northernmost track (formerly the track of the Chicago, Rock Island and Pacific Railroad Company); thence S88°42'35"W along a line 15 feet north of and parallel to said centerline, 75.88 feet to a point on the south line of Lot 2 of said Block 21; thence N74°59'17"E along the south line of Lot 2 of said Block 21, 32.03 feet to the SE corner of Lot 2 of said Block 21; thence N14°52'11"W along the east line of Lots 1 and 2 of said Block 21, 98.10 feet to a point 20 feet south of and normal to the centerline of the southernmost track of the Iowa Interstate Railroad; thence S80°30'58"E along a line 20.00 feet south of and parallel to said centerline, 21.95 feet to a point on the west line of Lot 10 of said Block 21; thence S14°52'11"E along the west line of Lots 10 and 9 of said Block 21, 89.00 feet to the SW corner of said Lot 9; thence N74°59'17"E along the south line of Lot 9 of said Block 21, 140.45 feet to the east line of said Block 21; thence S15°02'36"E along the east line of said Block 21, 18.00 feet to the Point of Beginning, containing 0.11 acres or 4672 square feet.

Sec. 2. 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.

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Sec. 3. 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