



Roll Call Number

Agenda Item Number

49A

Date August 19, 2019


An Ordinance entitled, "AN ORDINANCE vacating a portion of Thomas Beck Road right-of-way located south of and adjoining 1235 Thomas Beck Road",

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

49A

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 Thomas Beck Road right-of-way located south of and adjoining 1235 Thomas Beck Road.

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 Thomas Beck Road right-of-way located south of and adjoining 1235 Thomas Beck Road, more specifically described as follows, be and is hereby vacated:

A PART OF LOT 14 OF THE OFFICIAL PLAT OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND ALSO BEING A PART OF THOMAS BECK ROAD RIGHT OF WAY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 00°20'43" WEST ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 287.30 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID THOMAS BECK ROAD; THENCE SOUTH 45°27'40" WEST ALONG SAID NORTHERLY LINE, 46.32 FEET; THENCE SOUTH 46°14'19" WEST CONTINUING ALONG SAID NORTHERLY LINE, 289.62 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 1816.89 FEET, WHOSE ARC LENGTH IS 160.14 FEET AND WHOSE CHORD BEARS SOUTH 48°41'00" WEST, 160.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 38°19'08" EAST, 14.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS

1830.89 FEET, WHOSE ARC LENGTH IS 24.92 FEET AND WHOSE CHORD BEARS SOUTH 51°36'07" WEST, 24.92 FEET; THENCE SOUTH 57°35'20" WEST, 146.46 FEET; THENCE NORTH 35°10'41" WEST, 4.70 FEET TO SAID NORTHERLY LINE; THENCE NORTH 54°49'19" EAST ALONG SAID NORTHERLY LINE, 59.15 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 1816.89 FEET, WHOSE ARC LENGTH IS 111.33 FEET AND WHOSE CHORD BEARS NORTH 52°57'49" EAST, 111.31 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES (1,616 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:



Lisa A. Wieland
Assistant City Attorney