

Date January 27, 2020

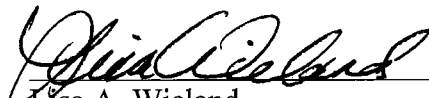
An Ordinance entitled, " AN ORDINANCE vacating excess East Martin Luther King, Jr. Parkway right-of-way adjoining 1422 Scott Avenue",

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				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

**CERTIFICATE**

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

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 excess East Martin Luther King, Jr. Parkway right-of-way adjoining 1422 Scott 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 excess East Martin Luther King, Jr. Parkway right-of-way adjoining 1422 Scott Avenue, more specifically described as follows, be and is hereby vacated:

A PORTION OF LOT 49 IN BROOKS AND CO'S ADDITION TO THE CITY OF DES MOINES, NOW INCLUDED IN AND FORMING PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN ON CORRECTED PLAT OF SURVEY BOOK 13570, PAGE 766, SAID PORTION WAS ACQUIRED BY CONDEMNATION PROCEEDINGS FILED IN BOOK 15052, PAGE 572, AND IS ALSO A PORTION OF RIGHT OF WAY TRACT 1 AS SHOWN ON PLAT OF SURVEY, RIGHT OF WAY DEDICATION AND DISPOSAL PARCELS FOR EAST MARTIN LUTHER KING JR. PARKWAY IN BOOK 15696, PAGE 382, ALL RECORDED IN THE POLK COUNTY, IOWA, RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID LOT 49; THENCE NORTH 00°(DEGREES) 01'(MINUTES) 38"(SECONDS) WEST, 215.04 FEET ON THE WEST LINE OF SAID LOT 49 TO THE PRESENTLY ESTABLISHED SOUTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR. PARKWAY; THENCE SOUTH 89°58'52" EAST, 25.00 FEET ON SAID SOUTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 14TH STREET AND THE POINT OF BEGINNING; THENCE NORTH 00°01'38" WEST, 97.44 FEET ON SAID EAST RIGHT OF WAY LINE;

THENCE SOUTH 72°13'56" EAST, 62.26 FEET; THENCE 38.00 FEET ON A 113.00 FOOT RADIUS CURVE TO THE LEFT WITH A CHORD BEARING SOUTH 81°32'26" EAST, 37.82 FEET; THENCE NORTH 88°49'28" EAST, 8.05 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD; THENCE 110.55 FEET ON A 4919.09 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD BEARING SOUTH 70°37'02" EAST, 110.55 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE; THENCE SOUTH 69°38'46" EAST, 104.81 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE TO SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 89°58'52" WEST, 307.25 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES (16,113 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.

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

City:	Des Moines
County:	Polk County
Parcel ID:	040/00289-001-000
Description:	Pt of Lot 49, Brooks & Cos Addition
Proprietor:	City of Des Moines
Surveyor:	Chad W. Marsh
Company:	Kirkham Michael
Return To:	11021 Aurora Avenue Urbandale, Iowa 50322 (515) 270-0848

# VACATION PLAT

EXHIBIT 6-V1

## SOUTHEAST CONNECTER SE 9TH STREET TO SE 15TH STREET PROJECT

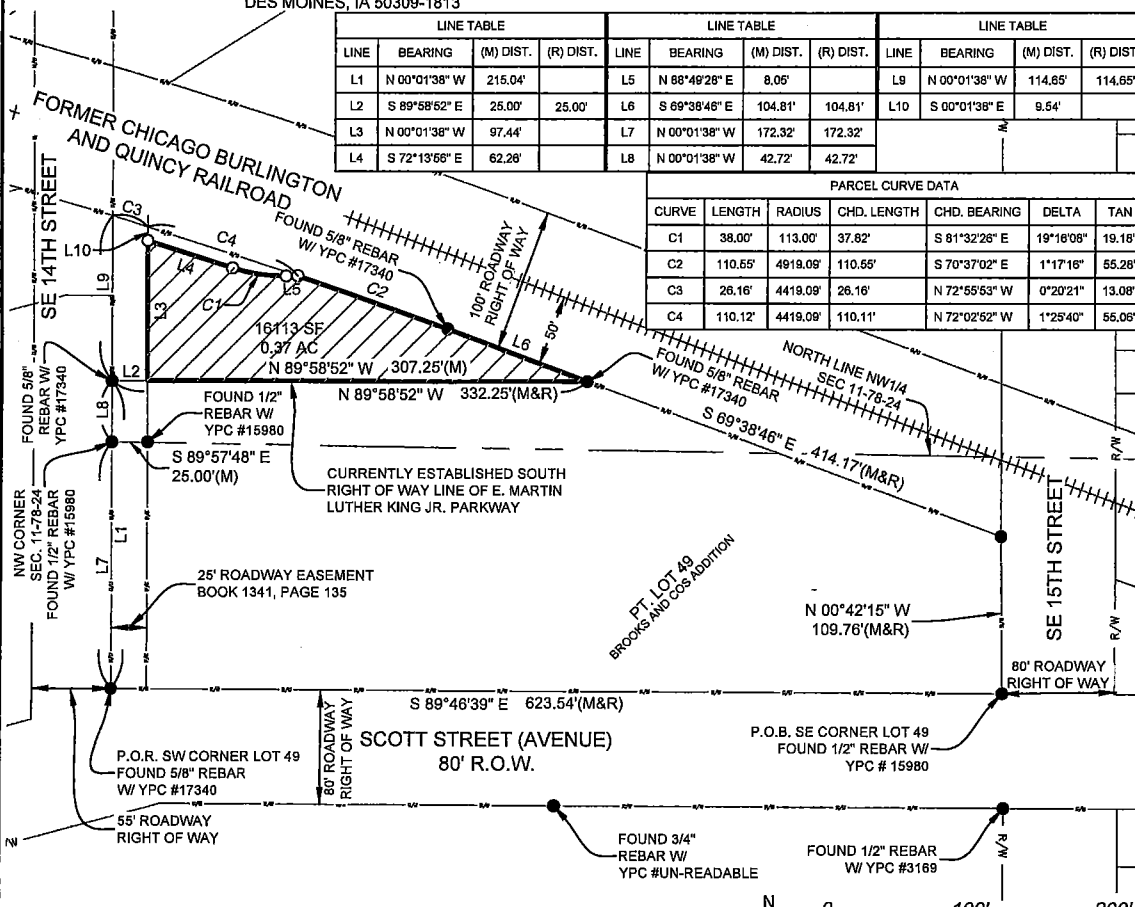
TITLE HOLDER #1:  
CITY OF DES MOINES

MAILING ADDRESS:  
CITY OF DES MOINES  
400 ROBERT D RAY DR  
DES MOINES, IA 50309-1813

PROPERTY ADDRESS:  
1422 SCOTT AVENUE

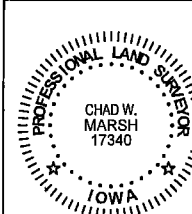
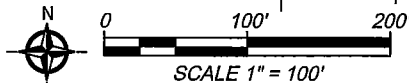
LINE TABLE				LINE TABLE				LINE TABLE			
LINE	BEARING	(M) DIST.	(R) DIST.	LINE	BEARING	(M) DIST.	(R) DIST.	LINE	BEARING	(M) DIST.	(R) DIST.
L1	N 00°01'38" W	215.04'		L5	N 88°49'28" E	8.06'		L9	N 00°01'38" W	114.65'	114.65'
L2	S 89°58'52" E	25.00'	25.00'	L6	S 69°38'46" E	104.81'	104.81'	L10	S 00°01'38" E	9.54'	
L3	N 00°01'38" W	97.44'		L7	N 00°01'38" W	172.32'	172.32'				
L4	S 72°13'56" E	62.28'		L8	N 00°01'38" W	42.72'	42.72'				

PARCEL CURVE DATA						
CURVE	LENGTH	RADIUS	CHD. LENGTH	CHD. BEARING	DELTA	TAN
C1	38.00'	113.00'	37.82'	S 81°32'28" E	19°18'08"	19.18'
C2	110.65'	4919.09'	110.65'	S 70°37'02" E	1°17'16"	55.28'
C3	26.16'	4419.09'	26.16'	N 72°55'53" W	0°20'21"	13.08'
C4	110.12'	4419.09'	110.11'	N 72°02'52" W	1°25'40"	55.06'



- LEGEND**
- ▲ FND. SECTION CORNER (AS NOTED)
  - △ SET SECTION CORNER
  - FOUND PROPERTY CORNER (AS NOTED)
  - SET 5/8"x24" REDOD W/ YELLOW PLASTIC CAP #17340 OR CUT "X"
  - X CALCULATED POINT NOT SET
  - M MEASURED
  - R RECORDED PREVIOUSLY
  - P.O.R. POINT OF REFERENCE
  - P.O.B. POINT OF BEGINNING
  - I.R. IRON ROD
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  - R/W— EXISTING RIGHT-OF-WAY LINE
  - EXISTING LOT LINE
  - P/L— PROPERTY LINE
  - ▨ VACATION AREA

**NOTES**  
1. ERROR OF CLOSURE FOR THIS PLAT IS WITHIN 1:5000



I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*Chad W. Marsh* 9-26-19  
CHAD W. MARSH DATE

License Number 17340  
My license renewal date is DECEMBER 31, 2020.  
Pages or sheets covered by this seal:  
Sheet 1 thru sheet 2

**SURVEY FOR:**  
CITY OF DES MOINES  
400 Robert D. Ray Drive  
Des Moines, Iowa 50309-1891  
Phone: (515) 283-4542



**KIRKHAM MICHAEL**  
CONSULTING ENGINEERS  
Kirkham Michael  
11021 Aurora Avenue  
Urbandale, IA 50322  
Phone: 515-270-0848  
Fax: 515-270-1067

DRAWN BY: DEL  
APPROVE BY: CWM  
SCALE: 1"=100'  
REVISION DATE:

SHEET

1 OF 2

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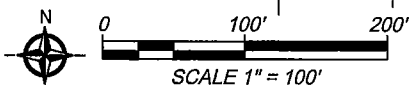
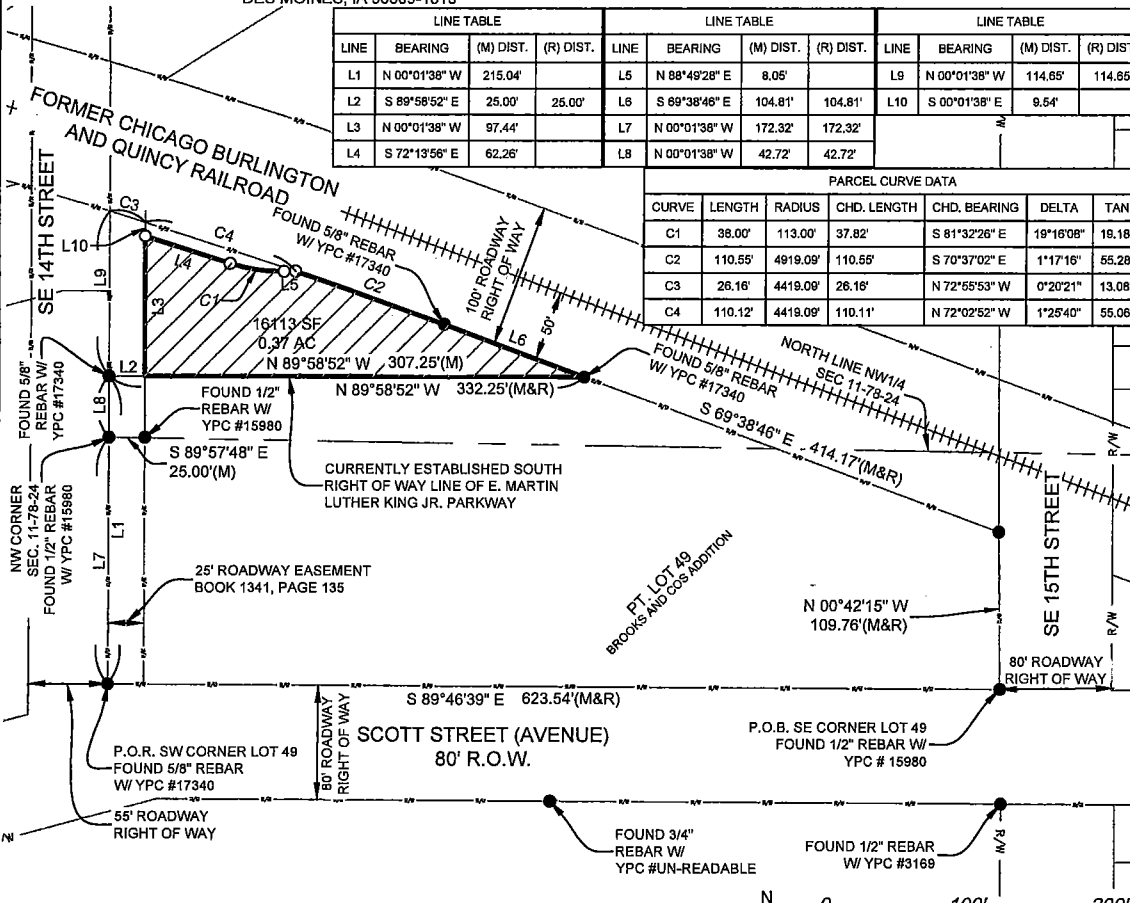
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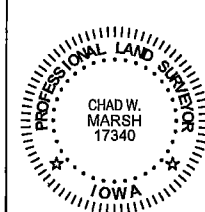
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**SURVEY FOR:**  
CITY OF DES MOINES  
400 Robert D. Ray Drive  
Des Moines, Iowa 50309-1891  
Phone: (515) 283-4542

KM PROJECT NO. 0506680 DATE: 09/16/2019

**KIRKHAM MICHAEL**  
CONSULTING ENGINEERS  
Kirkham Michael  
11021 Aurora Avenue  
Urbandale, IA 50322  
Phone: 515-270-0848  
Fax: 515-270-1067

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APPROVE BY: CWM  
SCALE: 1"=100'  
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1 OF 2

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09-13-2019 DEL, 6-V1

*EJS 10-4-19*

FIELD SURVEY COMPLETED: SEPT. 2019

**SURVEY FOR:**

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400 Robert D. Ray Drive  
Des Moines, Iowa 50309-1891  
Phone: (515) 283-4542

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