

★ Roll Call Number

Agenda Item Number

62 A

Date January 25, 2021

An Ordinance entitled, "AN ORDINANCE vacating a portion of public street right-of-way on the southeastern corner of the intersection of Southwest 63rd Street and Southwest Leland Avenue, in the 6100 block of Southwest Leland Avenue,"

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

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.

Mayor

City Clerk

62A

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 public street right-of-way on the southeastern corner of the intersection of Southwest 63rd Street and Southwest Leland Avenue, in the 6100 block of Southwest Leland 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 public street right-of-way on the southeastern corner of the intersection of Southwest 63rd Street and Southwest Leland Avenue, in the 6100 block of Southwest Leland Avenue, more specifically described as follows, be and is hereby vacated:

An irregular shaped portion of Parcel Q as shown on the Plat of Survey Recorded in Book 14665 at Page 556 and a portion of Lot 2 of the Replat of Bloomfield Hills Plat No. 2, an Official Plat, and a portion of the Southeast Quarter of the Southeast Quarter of Section 26, Township 78 North, Range 25 West of the 5th P.M., all in Des Moines, Polk County, Iowa, more particularly described as follows: Beginning at the northeast corner of Parcel G as shown on the Plat of Survey Recorded in Book 7541 at Page 830; thence N89°50'51"W, assumed bearing for this description, along the north line of said Parcel G, a distance of 134.70 feet to the northwest corner of said Parcel G and to the east Right of Way line of Iowa Highway No. 28; thence N06°46'59"E along said east Right of Way line, a distance of 65.45 feet; thence S89°50'10"E, a distance of 127.16 feet to a bend point on the south line of said Parcel Q; thence S00°09'50"W along the south line of said Parcel Q, a distance of 64.99 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record. Said tract of land contains 8,511 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:

/s/ Lisa A. Wieland

Lisa A. Wieland

Assistant City Attorney

VACATION EXHIBIT

PARCEL "E"
PER BK 9082, PG 245
(LAMAR ADVERTISING COMPANY)

S89°51'43"E
557.94'

PT. PARCEL "Q"
PER BK 14665, PG 556-558
(CITY OF DES MOINES)

S.W. LELAND AVENUE

S89°50'10"E
432.48'

PARCEL "P"
PER BK 14665, PG 554-555
(CITY OF DES MOINES)

S89°50'10"E
127.16'M

134.70'M
N89°50'51"W

N06°46'59"E
65.45'M

S00°09'50"W
64.99'M

R=250.00' A=20°58'13"
L=91.50' CH=90.99'
N26°28'46"W

PARCEL "G"
PER BK 7541, PG 830
(ANNETT HOLDINGS INC)

PROPERTY DESCRIPTION: PARCEL 2020-19

An irregular shaped portion of Parcel Q as shown on the Plat of Survey Recorded in 14665 at Page 556 and a portion of Lot 2 of the Replat of Bloomfield Hills Plat No. 2, Official Plat, and a portion of the Southeast Quarter of the Southeast Quarter of Sec 26, Township 78 North, Range 25 West of the 5th P.M., all in Des Moines, Polk County Iowa, more particularly described as follows: Beginning at the northeast corner of Parcel G as shown on the Plat of Survey Recorded in Book 7541 at Page 830; thence N89°50'51"W, assumed bearing for this description, along the north line of said Parcel G, a distance of 134.70 feet to the northwest corner of said Parcel G and to the east of Way line of Iowa Highway No. 28; thence N06°46'59"E along said east Right of Way line, a distance of 65.45 feet; thence S89°50'10"E, a distance of 127.16 feet to a benchmark on the south line of said Parcel Q; thence S00°09'50"W along the south line of Parcel Q, a distance of 64.99 feet to the point of beginning.

Said tract of land being subject to and together with any and all easements and restrictions of record.

Said tract of land contains 8,511 Square Feet.

HIGHWAY 28

REPLAT OF BLOOMFIELD
HILLS PLAT NO. 2

R=5859.60' A=1°01'15"
L=104.40' CH=104.40'
N00°20'10"W

12.70'
N00°10'20"E

22.81'
N06°46'59"E

EAST LINE LOT 2
REPLAT OF BLOOMFIELD HILLS
PLAT NO. 2

N89°50'51"W
117.85'

INDEX LEGEND
Location: SE1/4 -SE1/4 Section 26, T78N-R25W Polk County, Iowa
Lot 2 Replat of Bloomfield Hills Plat No. 2
Requestor: Annett Holdings Inc.
Owner: City of Des Moines
Surveyor: Larry D Hyley, PLS
Company: Bishop Engineering, 3501 104th St.
Urbandale, IA 50322 (Ph) 515-276-0467

- LEGEND:**
- PROPERTY CORNER OF RECORD
 - PROPERTY CORNER- PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID # 14775 OR AS NOTED
 - ⊕ SECTION CORNER - FOUND AS NOTED
 - M MEASURED DISTANCE
 - () PREVIOUSLY RECORDED
 - ROW RIGHT OF WAY
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING
 - YPC YELLOW PLASTIC CAP

