



**Roll Call Number**

**Agenda Item Number**

38A

**Date**..... November 15, 2021.....

An Ordinance entitled, "AN ORDINANCE vacating portions of Crocker Street, 12<sup>th</sup> Street and Keosauqua Way right-of-way adjoining 1201 Keosauqua Way",

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				

**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 portions of Crocker Street, 12<sup>th</sup> Street and Keosauqua Way right-of-way adjoining 1201 Keosauqua Way.

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 portions of Crocker Street, 12<sup>th</sup> Street and Keosauqua Way right-of-way adjoining 1201 Keosauqua Way, more specifically described as follows, be and is hereby vacated:

A PART OF CROCKER STREET RIGHT-OF-WAY LYING NORTH AND ADJACENT TO THE NORTH LINE OF LOT 3, FERRINGTON PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 80 FEET OF LOT 18, BLOCK 1, WHITES ADDITION, AN OFFICIAL PLAT; THENCE NORTH 89°22'09" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CROCKER STREET, 234.42 FEET AND TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°22'09" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 30.00 FEET; THENCE NORTH 00°37'51" EAST, 6.00 FEET; THENCE SOUTH 89°22'09" EAST, 30.00 FEET; THENCE SOUTH 00°37'51" WEST, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 180 S.F.

AND

A PART OF CROCKER STREET RIGHT-OF-WAY LYING NORTH AND ADJACENT TO THE NORTH LINE OF LOT 2, FERRINGTON PLACE, AN OFFICIAL PLAT NOW

INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 80 FEET OF LOT 18, BLOCK 1, WHITES ADDITION, AN OFFICIAL PLAT; THENCE NORTH 89°22'09" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CROCKER STREET, 160.38 FEET AND TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°22'09" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 5.00 FEET; THENCE NORTH 00°37'51" EAST, 5.00 FEET; THENCE SOUTH 89°22'09" EAST, 5.00 FEET; THENCE SOUTH 00°37'51" WEST, 5.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 25 S.F.

AND

A PART OF 12TH STREET RIGHT-OF-WAY LYING EAST AND ADJACENT TO THE EAST LINE OF LOT 2, FERRINGTON PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 80 FEET OF LOT 18, BLOCK 1, WHITES ADDITION, AN OFFICIAL PLAT; THENCE NORTH 89°22'09" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CROCKER STREET, 146.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 AND ALSO THE WEST RIGHT-OF-WAY LINE OF 12TH STREET; THENCE SOUTH 00°20'33" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 86.72 FEET AND TO THE POINT OF BEGINNING; THENCE NORTH 89°39'27" EAST, 5.00 FEET; THENCE SOUTH 00°20'33" EAST, 5.00 FEET; THENCE SOUTH 89°39'27" WEST, 5.00 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE NORTH 00°20'33" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 5.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 25 S.F.

AND

A PART OF KEOSAUQUA WAY RIGHT-OF-WAY LYING SOUTH AND ADJACENT TO THE SOUTHWESTERLY LINE OF LOTS 1 AND 2, FERRINGTON PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 80 FEET OF LOT 18, BLOCK 1, WHITES ADDITION, AN OFFICIAL PLAT; THENCE NORTH 89°22'09" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CROCKER STREET, 146.01 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 AND ALSO THE WEST RIGHT-OF-WAY LINE OF 12TH STREET; THENCE SOUTH 00°20'33"

EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 172.27 FEET TO THE SOUTH CORNER OF SAID LOT 1, THENCE NORTH 42°34'53" WEST ALONG THE SOUTHWEST LINE OF SAID LOT 1 AND ALSO THE NORTHEAST RIGHT-OF-WAY LINE OF KEOSAUQUA WAY, 34.20 FEET AND TO THE POINT OF BEGINNING; THENCE SOUTH 47°25'07" WEST, 5.00 FEET; THENCE NORTH 42°34'53" WEST, 69.13 FEET; THENCE NORTH 47°25'07" EAST, 5.00 FEET TO SAID NORTHEAST RIGHT-OF-WAY LINE; THENCE SOUTH 42°34'53" EAST ALONG SAID NORTHEAST RIGHT-OF-WAY LINE, 69.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 346 S.F.

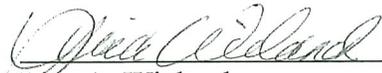
PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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:

  
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Lisa A. Wieland  
Assistant City Attorney