



Roll Call Number

Agenda Item Number

50A

Date June 27, 2022

An Ordinance entitled, "AN ORDINANCE vacating a portion of East 2nd Street right-of-way located north of and adjoining 111 East Grand Avenue",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno
Assistant City Attorney

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

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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

_____ Acting City Clerk

Prepared by: Mackenzie L. Moreno, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4535
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating a portion of East 2nd Street right-of-way located north of and adjoining 111 East Grand 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 East 2nd Street right-of-way located north of and adjoining 111 East Grand Avenue, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND IN THE EAST 2ND STREET PUBLIC RIGHT OF WAY LYING EAST OF AND DIRECTLY ADJACENT TO PARCEL 2016-20 OF BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 15934, PAGE 39, AT THE POLK COUNTY RECORDERS OFFICE IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL '2016-20'; THENCE S15°21'53"E, 3.17 FEET ALONG THE EAST LINE OF SAID PARCEL '2016-20' TO THE POINT OF BEGINNING; THENCE CONTINUING S15°21'53"E, 34.00 FEET ALONG SAID EAST LINE TO A POINT; THENCE N74°38'07"E, 8.80 FEET TO A POINT; THENCE N15°21'53"W, 34.00 FEET ALONG A LINE THAT IS 8.80 FEET EAST OF AND PARALLEL TO SAID EAST LINE OF PARCEL '2016-20' TO A POINT; THENCE S74°38'07"W, 8.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 299 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:



Mackenzie L. Moreno
Assistant City Attorney

PREPARED FOR:
 III EAST GRAND L.L.C.
 350 EAST LOCUST STREET, #500
 DES MOINES, IOWA 50309
 TIM RYPMA: 515-419-1445

VACATION EXHIBIT
 111 EAST GRAND AVENUE
 CITY OF DES MOINES
 IOWA 50309

PROPERTY OWNER:
 CITY OF DES MOINES
 400 ROBERT D RAY DR
 DES MOINES, IA 50309-1813

LEGAL DESCRIPTION - BENEFITED PROPERTY

PARCEL 2016-20 OF BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PARCEL RECORDED IN BOOK 15934, PAGE 39 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA.

LEGAL DESCRIPTION - VACATION EXHIBIT

A PARCEL OF LAND IN THE EAST 2ND STREET PUBLIC RIGHT OF WAY LYING EAST OF AND DIRECTLY ADJACENT TO PARCEL 2016-20 OF BLOCK 3, EAST FORT DES MOINES, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 15934, PAGE 39, AT THE POLK COUNTY RECORDERS OFFICE IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS:

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NOTES:

1. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR.

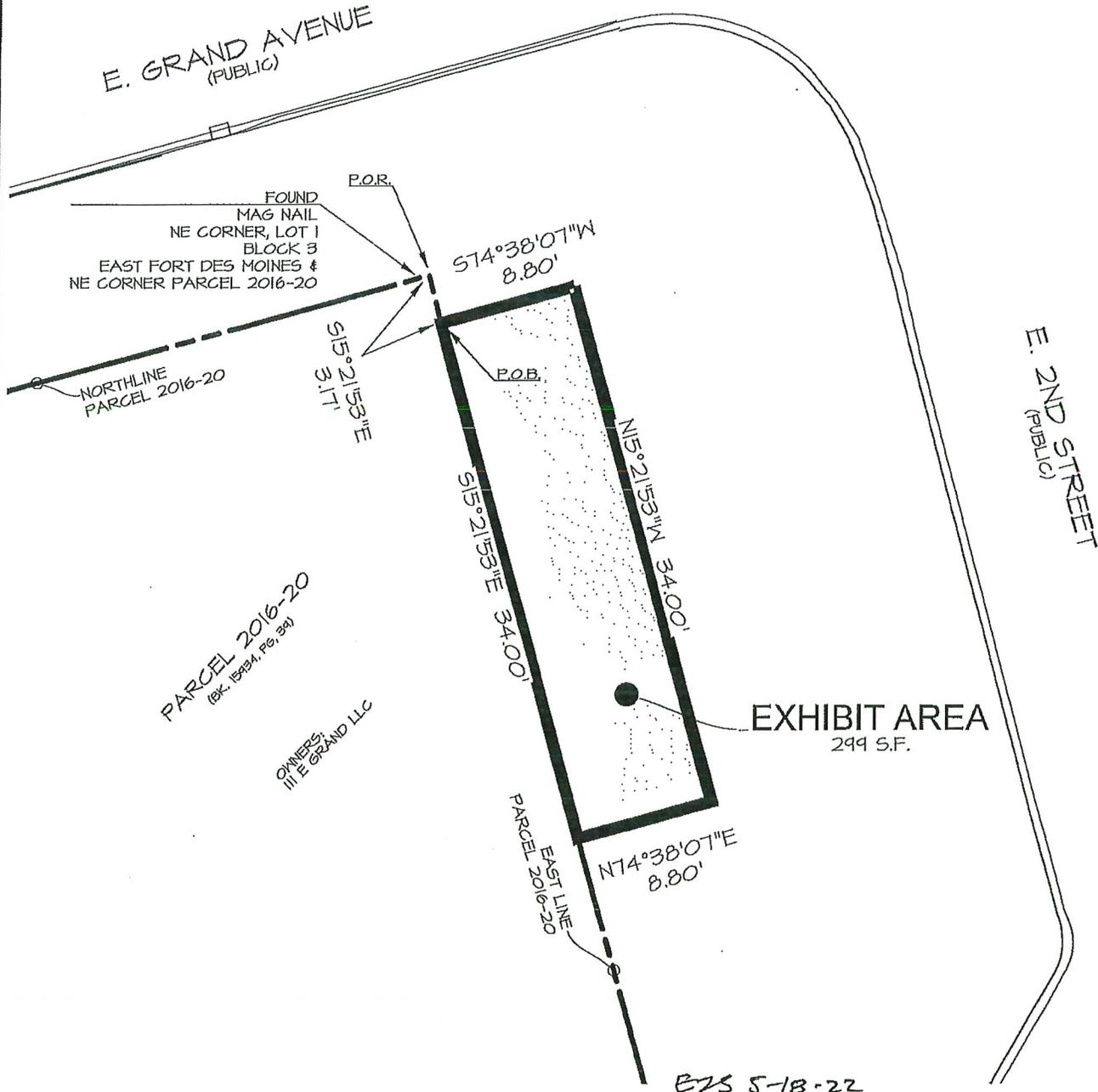
LEGEND

- VACATION LINES
- OWNER PROPERTY LINES
- LOT LINES
- EXISTING EASEMENT LINES
- UGE — UNDERGROUND ELECTRIC LINES
- UGT — UNDERGROUND TELECOMMUNICATION LINES
- FOUND PROPERTY CORNER
- I.R. IRON ROD
- I.P. IRON PIPE
- P.O.B. POINT OF BEGINNING
- M. MEASURED DISTANCE
- P. PREVIOUSLY RECORDED DISTANCE

E/S 5-18-22

 Civil Engineering Consultants, Inc.	SCALE: 1" = 10' 	
	 NORTH	SHEET 1 OF 2 DWG BY MDM
2400 86th Street . Unit 12 . Des Moines, Iowa 50322 515.276.4884 . Fax: 515.276.7084 . mail@ceclac.com		
DATE CREATED: MAY 17, 2022 REVISIONS:		

VACATION EXHIBIT
111 EAST GRAND AVENUE
CITY OF DES MOINES
IOWA 50309



Civil Engineering Consultants, Inc.

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NORTH

SHEET

2

OF 2

DWG BY NDM