



Roll Call Number

Agenda Item Number

54A

Date October 3, 2022

An Ordinance entitled, "AN ORDINANCE permanently vacating various segments of right-of-way in the vicinity of the 100 block of Southeast 15th Street, between Southeast 14th Street and Southeast 18th Street, and between East Court Avenue on the north and the Iowa Interstate Railway on the south",

presented.

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

FORM APPROVED:

(First of three required readings)

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

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

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

_____ Mayor

_____ City Clerk

54A

Prepared by: Mackenzie L. Moreno, 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 permanently vacating various segments of right-of-way in the vicinity of the 100 block of Southeast 15th Street, between Southeast 14th Street and Southeast 18th Street, and between East Court Avenue on the north and the Iowa Interstate Railway on the south.

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 various segments of right-of-way in the vicinity of the 100 block of Southeast 15th Street, between Southeast 14th Street and Southeast 18th Street, and between East Court Avenue on the north and the Iowa Interstate Railway on the south, more specifically described as follows, be and is hereby vacated:

JOHNSON COURT VACATION DESCRIPTION:

ALL THAT PART OF THE JOHNSON COURT PUBLIC RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 56 IN THE O.P. OF THE WEST ONE-HALF OF LOT 31 IN BROOKS & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 56 AND NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 56. SAID TRACT OF LAND CONTAINS 710 SQUARE FEET.

SE. 14th COURT VACATION DESCRIPTION:

ALL THAT PART OF THE SE. 14th COURT PUBLIC RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOTS 11, 12, 13 AND 14 IN REES'S SUBDIVISION OF LOT 30 BROOKS & CO'S ADDITION. SAID TRACT OF LAND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 14 AND NORTH OF

ALL THAT PART OF THE SE. ASTOR STREET PUBLIC ROAD RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 9 AND 10 IN THE O. P. OF BLOCK 28 AND PART OF LOT 27 IN BROOK'S & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 9 AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED. SAID PUBLIC ROAD RIGHT-OF-WAY BEING EXTENDED SOUTH TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD. SAID TRACT OF LAND CONTAINS 16,310 SQUARE FEET.

SE. 16th STREET VACATION DESCRIPTION:

ALL THAT PART OF THE SE 16th STREET PUBLIC ROAD RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 9 AND 10 IN THE SOUTH PART OF LOT 27 IN BROOK'S & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF A LINE BETWEEN THE NORTHWEST CORNER OF SAID LOT 9 IN SAID PART OF LOT 27 IN BROOK'S & CO'S ADDITION AND THE NORTHEAST CORNER OF LOT 12 IN THE O. P. OF BLOCK 28 AND PART OF LOT 27 IN BROOK'S & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED. SAID PUBLIC ROAD RIGHT-OF-WAY BEING EXTENDED SOUTH TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD. SAID TRACT OF LAND CONTAINS 14,045 SQUARE FEET.

SE. 16th COURT VACATION DESCRIPTION:

ALL THAT PART OF THE SE 16th COURT PUBLIC ROAD RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOTS 7 AND 11 IN THE SOUTH PART OF LOT 27 IN BROOK'S & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 7 AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED. SAID PUBLIC ROAD RIGHT-OF-WAY BEING EXTENDED SOUTH TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD. SAID TRACT OF LAND CONTAINS 9,585 SQUARE FEET.

BLOCK 1, I. N. THOMAS SUBDIVISION ALLEY VACATION DESCRIPTION:

ALL THAT PART OF THE EAST-WEST PUBLIC ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 12 THRU 16 INCLUSIVE IN BLOCK 1, I. N. THOMAS SUBDIVISION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 16 AND EAST OF THE EASTERLY RIGHT-OF-WAY LINE OF SE. 16th COURT AS IT IS PRESENTLY ESTABLISHED. SAID TRACT OF LAND CONTAINS 5,120 SQUARE FEET.

EAST VINE STREET VACATION DESCRIPTION: (PARCEL 2019-115)

AN IRREGULAR SHAPED PORTION OF EAST VINE STREET LYING EAST OF EAST 16th COURT AND WEST OF EAST 18th STREET AS THEY ARE PRESENTLY ESTABLISHED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA DESCRIBED AS;

BEGINNING AT THE SOUTHEAST CORNER OF LOT 22 IN I. N. THOMAS SUBDIVISION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA; THENCE S67°22'40"W, A DISTANCE OF 208.66 FEET TO THE NORTHEAST CORNER OF PARCEL 2018-130 AS SHOWN IN BOOK 17105 AT PAGE 817 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE S89°55'20"W ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID VACATED EAST VINE STREET AND ALONG THE NORTH LINE OF SAID PARCEL 2018-130, A DISTANCE OF 511.30 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2018-130 AND TO THE EAST RIGHT-OF-WAY LINE OF SAID EAST 16th COURT; THENCE N00°22'30"W ALONG THE EAST RIGHT-OF-WAY LINE OF SAID EAST 16th COURT, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF LOT 12 BLOCK 1 IN SAID I. N. THOMAS SUBDIVISION; THENCE N89°55'20"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID VACATED EAST VINE STREET AND ALONG THE SOUTH LINE OF LOTS 12 THRU 22 IN SAID BLOCK 1, INCLUSIVE, A DISTANCE 704.43 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 48,620 SQUARE FEET (1.16 ACRES)

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

INDEX LEGEND
LOCATION: JOHNSTON COURT, SE. 14th COURT, SE. 15th STREET, SE. 15th COURT, SE ASTOR STREET
 BROOKS & CO'S ADDITION, D. REES'S SUBDIVISION, BRANDT & JACOBS SUBDIVISION DES MOINES IOWA
REQUESTOR: GREG HOLT
PROPRIETOR: CITY OF DES MOINES IOWA 400 ROBERT D. RAY DRIVE DES MOINES IOWA 50309
SURVEYOR: JOEL R. ROMEY
COMPANY & RETURN TO: RACCOON VALLEY LAND SURVEYING LLC 33235 L AVENUE ADEL IOWA 50003 PHONE: 515.493.8317

JOHNSON COURT:
 ALL THAT PART OF THE VACATED JOHNSON COURT PUBLIC RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 56 IN THE O.P. OF THE WEST ONE-HALF OF LOT 31 IN BROOKS & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 56 AND NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 56. SAID TRACT OF LAND CONTAINS 710 SQUARE FEET.

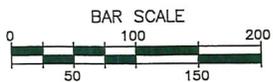
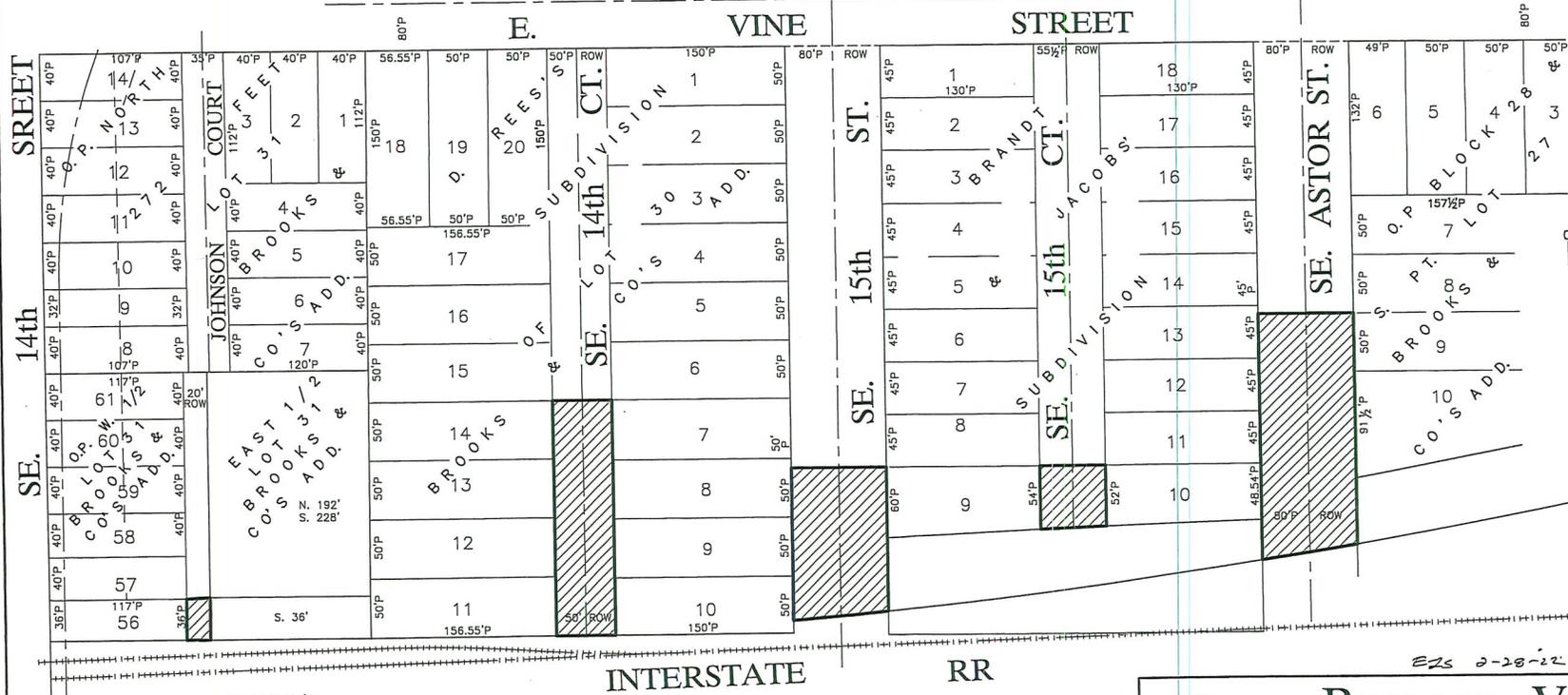
SE. 14th COURT:
 ALL THAT PART OF THE VACATED SE. 14th COURT PUBLIC RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOTS 11, 12, 13 AND 14 IN REES'S SUBDIVISION OF LOT 30 BROOKS & CO'S ADDITION, SAID TRACT OF LAND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 14 AND NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 11. SAID TRACT OF LAND CONTAINS 9,970 SQUARE FEET.

SE. 15th STREET:
 ALL THAT PART OF THE VACATED SE. 15th STREET PUBLIC RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 9 IN BRANDT & JACOBS' SUBDIVISION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 9 AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IS IT PRESENTLY ESTABLISHED. SAID PUBLIC ROAD RIGHT-OF-WAY BEING EXTENDED SOUTH TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD. SAID TRACT OF LAND CONTAINS 10,060 SQUARE FEET.

SE. 15th COURT:
 ALL THAT PART OF THE VACATED SE. 15th COURT PUBLIC RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 9 IN BRANDT & JACOBS' SUBDIVISION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF A LINE BETWEEN THE NORTHEAST CORNER OF SAID LOT 9 AND THE NORTHWEST CORNER OF LOT 10 IN SAID BRANDT & JACOBS' SUBDIVISION. SAID TRACT OF LAND CONTAINS 2,940 SQUARE FEET.

VACATION EXHIBIT

SE. ASTOR STREET:
 ALL THAT PART OF THE VACATED SE. ASTOR STREET PUBLIC ROAD RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 9 AND 10 IN THE O. P. OF BLOCK 28 AND PART OF LOT 27 IN BROOKS & CO'S ADDITION, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 9 AND NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED. SAID PUBLIC ROAD RIGHT-OF-WAY BEING EXTENDED SOUTH TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD. SAID TRACT OF LAND CONTAINS 16,310 SQUARE FEET.



EZs 2-28-22

IOWA

INTERSTATE RR



Raccoon Valley Land Surveying

33235 L Avenue Adel Iowa 515.493.8317

INDEX LEGEND

LOCATION: SE. 16th STREET, SE. 16th COURT, EAST VINE STREET, BLOCK 1, I. N. THOMAS SUBDIVISION BROOKS & CO'S ADDITION DES MOINES IOWA

REQUESTOR: GREG HOLT

PROPRIETOR: CITY OF DES MOINES IOWA
400 ROBERT D. RAY DRIVE
DES MOINES IOWA 50309

SURVEYOR: JOEL R. ROMEY

COMPANY & RETURN TO: RACCOON VALLEY LAND SURVEYING LLC
33235 L AVENUE
ADEL IOWA 50003
PHONE: 515.493.8317

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