



Roll Call Number

Agenda Item Number

33 A

Date June 3, 2024

An Ordinance entitled, "AN ORDINANCE vacating a portion of the SE 6th Street right-of-way located east of and adjoining 2428 SE 6th Street",

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
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

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.

_____ Mayor

_____ City Clerk

33A

Prepared by: Mackenize 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 the SE 6th Street right-of-way located east of and adjoining 2428 SE 6th Street.

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 the SE 6th Street right-of-way located east of and adjoining 2428 SE 6th Street, more specifically described as follows, be and is hereby vacated:

A PORTION OF SOUTHEAST 6TH STREET RIGHT OF WAY, ADJOINING LOT 4, TALLMADGE'S SUBDIVISION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH 81.26 FEET OF THE NORTH 171.26 FEET OF THE EAST 155.34 FEET OF SAID LOT 4; THENCE NORTH 00°34'08" WEST, 32.53 FEET ON THE EAST LINE OF SAID LOT 4; THENCE NORTH 89°25'52" EAST, 3.00 FEET; THENCE SOUTH 00°34'08" EAST, 32.58 FEET; THENCE NORTH 89°34'12" WEST, 3.00 FEET TO THE POINT OF BEGINNING CONTAINING 98 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:

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

Index Legend	
City:	Des Moines County: Polk County
Parcel ID:	010/02963-005-000
Description:	Pt of SE 6th Street Right of Way adjoining Lot 4 Tallmadge's Sub Division
Proprietor:	City of Des Moines
Surveyor:	Chad W. Marsh
Company:	Kirkham Michael
Return To:	4390 114th Street Urbandale, Iowa 50322 (515) 270-0848

VACATION EXHIBIT

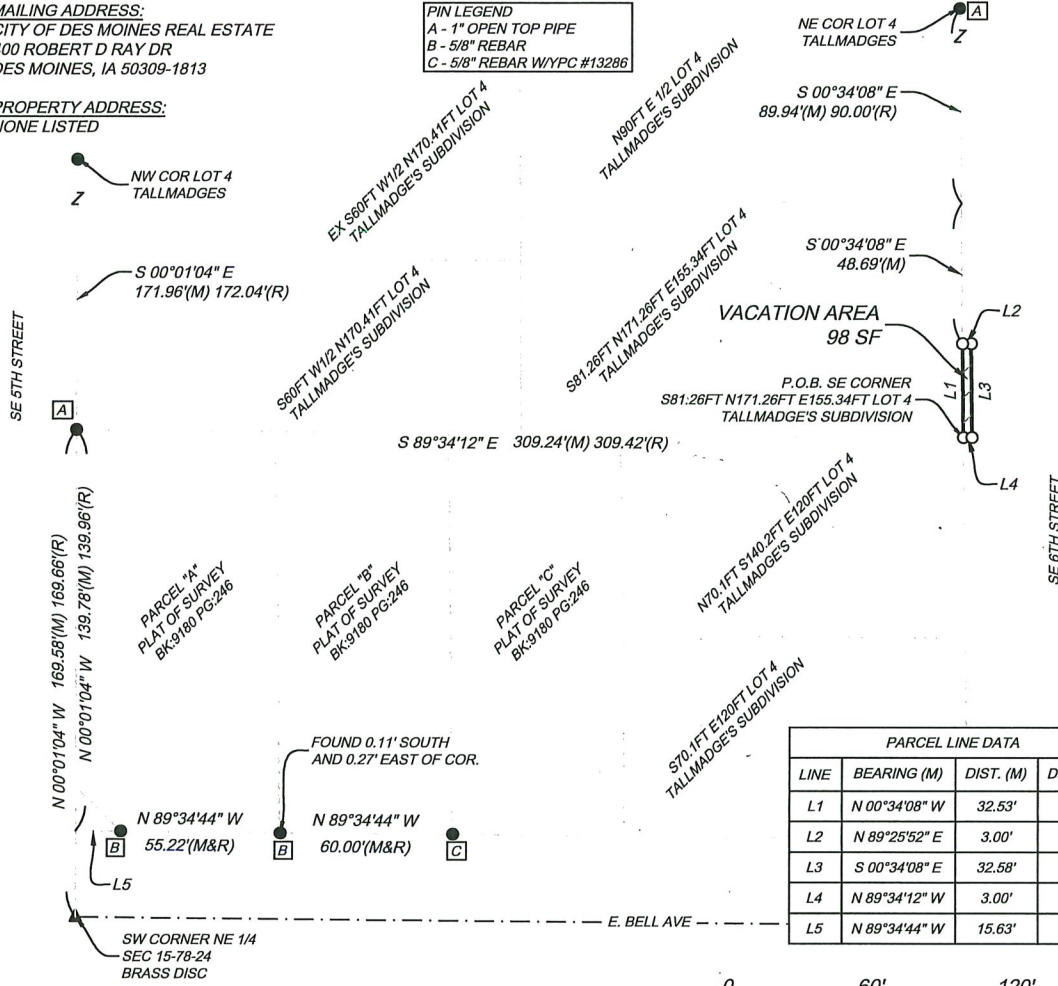
2023 NEIGHBORHOOD SIDEWALK PROGRAM
ACTIVITY ID 01-2022-037

EXHIBIT 079-V1

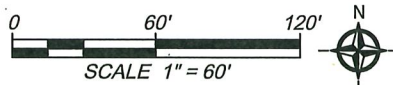
MAILING ADDRESS:
CITY OF DES MOINES REAL ESTATE
400 ROBERT D RAY DR
DES MOINES, IA 50309-1813

PROPERTY ADDRESS:
NONE LISTED

PIN LEGEND
A - 1" OPEN TOP PIPE
B - 5/8" REBAR
C - 5/8" REBAR W/YPC #13286



PARCEL LINE DATA			
LINE	BEARING (M)	DIST. (M)	DIST. (R)
L1	N 00°34'08" W	32.53'	
L2	N 89°25'52" E	3.00'	
L3	S 00°34'08" E	32.58'	
L4	N 89°34'12" W	3.00'	
L5	N 89°34'44" W	15.63'	15.00'



- NOTES**
- MONUMENTS SHOWN TO BE SET WILL BE ESTABLISHED AFTER CONSTRUCTION IS COMPLETE
 - ERROR OF CLOSURE FOR THIS PLAT IS WITHIN 1:5000

FIELD WORK COMPLETED JAN 2023

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 5-16-23

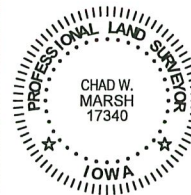
CHAD W. MARSH DATE

License Number 17340

My license renewal date is DECEMBER 31, 2024.

Pages or sheets covered by this seal:

Sheets 1 thru 2



- LEGEND**
- ▲ FND. SECTION CORNER (AS NOTED)
 - △ SET SECTION CORNER
 - FOUND PROPERTY CORNER (AS NOTED)
 - SET 5/8"x24" REROD 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
 - I.P. IRON PIPE
 - SECTION LINE
 - R/W- EXISTING RIGHT-OF-WAY LINE
 - EXISTING LOT LINE
 - PL --- PROPERTY LINE
 - ▨ VACATION AREA
- E/S 6-1-23

SURVEY FOR:

CITY OF DES MOINES
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
PHONE: (515) 283-4542

KM PROJECT NO. 2206605 DATE: 5/16/2023



KIRKHAM MICHAEL
CONSULTING ENGINEERS
Kirkham Michael
4390 114th Street
Urbandale, IA 50322
Phone: 515-270-0848 Fax: 515-270-1067

SHEET

1 OF 2

VACATION EXHIBIT

2023 NEIGHBORHOOD SIDEWALK PROGRAM
ACTIVITY ID 01-2022-037

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

PROPERTY ADDRESS:
NONE LISTED

LEGAL DESCRIPTION EXHIBIT 079-V1

A PORTION OF SOUTHEAST 6TH STREET RIGHT OF WAY, ADJOINING LOT 4, TALLMADGE'S SUBDIVISION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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FOR THE PURPOSE OF THIS DESCRIPTION, ALL BEARING AND DISTANCES ARE REFERENCED TO NAD83(2011) IA SPCS SOUTH ZONE, US SURVEY FOOT.

E/S 6-1-23

SURVEY FOR:

CITY OF DES MOINES
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
PHONE: (515) 283-4542

KM PROJECT NO. 2206605 DATE: 5/16/2023



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SHEET

2 OF 2