



Roll Call Number

Agenda Item Number

47A

Date June 17, 2024

An Ordinance entitled, "AN ORDINANCE vacating a portion of the SE 23rd Street right-of-way adjoining 2200 Maury 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

47A

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 23rd Street right-of-way adjoining 2200 Maury 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 23rd Street right-of-way adjoining 2200 Maury Street, more specifically described as follows, be and is hereby vacated:

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. NOW IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 19 IN BLOCK 10, JACK'S PLAT, AN OFFICIAL PLAT; THENCE N 00°20'35" W, A DISTANCE OF 538.16 FEET TO THE POINT OF BEGINNING; THENCE N 02°29'51" W, A DISTANCE OF 50.75 FEET TO A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 1941.41 FEET; THENCE ALONG SAID CURVE, WHOSE CHORD BEARS N 07°19'07" W, WITH A CHORD LENGTH OF 147.59 FEET, A DISTANCE OF 147.62 FEET; THENCE N 10°25'36" W, A DISTANCE OF 408.88 FEET; THENCE S 89°26'11" W, A DISTANCE OF 47.08 FEET; THENCE S 00°12'22" E, A DISTANCE OF 14.73 FEET; THENCE S 13°25'36" E, A DISTANCE OF 549.16 FEET; THENCE S 89°28'01" W, A DISTANCE OF 60.86 FEET; THENCE S 00°11'49" W, A DISTANCE OF 50.01 FEET; THENCE N 89°27'33" E, A DISTANCE OF 75.20 FEET TO THE POINT OF BEGINNING. CONTAINING 22,777 SQUARE FEET (0.523 ACRES) 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

Index Legend	
City:	DES MOINES
County:	POLK
Geoparcels ID:	7824-12-610-024
Description:	NW 1/4 SEC 12-78-24
Proprietor:	CITY OF DES MOINES
Surveyor:	MURRAY B. BERTING
Company:	SHIVE-HATTERY INC
Return To:	4125 WESTOWN PKWY, SUITE 100 WEST DES MOINES, IOWA 50266, PH: 515.223.8104

Recorded: 5/30/2024 at 8:28:27.0 AM
 County Recording Fee: \$7.00
 Iowa E-Filing Fee: \$3.13
 Combined Fee: \$10.13
 Revenue Tax:
 Polk County, Iowa
 Julie M. Haggerty RECORDER
 Number: 202400026339
 BK: 19810 PG: 343

PLAT OF SURVEY

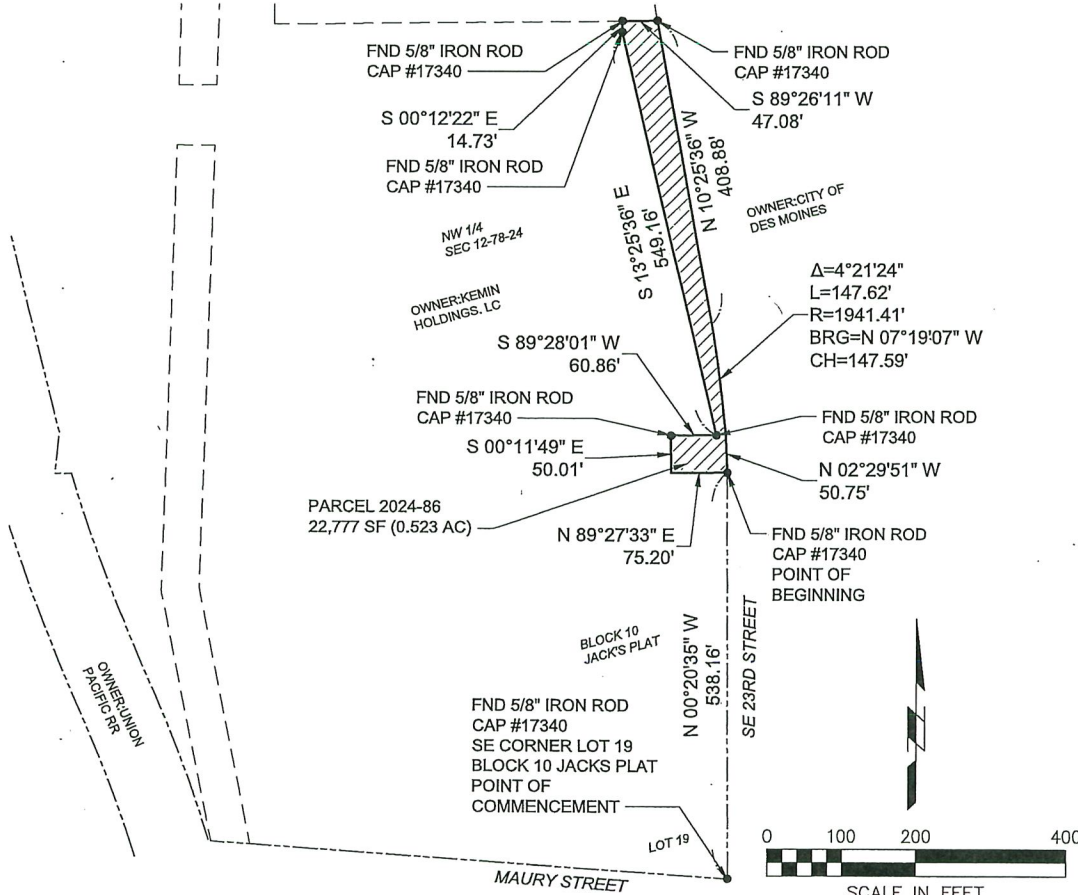
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. NOW IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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 THENCE N 00°20'35" W, A DISTANCE OF 538.16 FEET TO THE POINT OF BEGINNING;
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CONTAINING 22,777 SQUARE FEET (0.523 ACRES) MORE OR LESS.

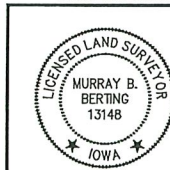


DATE OF FIELDWORK COMPLETED: 2024-01-11

LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- △ SET SECTION CORNER MONUMENT
- MONUMENT FOUND AS NOTED
- SET 5/8" REROD WYELLOW CAP#13148
- - - RIGHT OF WAY
- LOT LINE
- ▭ PARCEL BOUNDARY

ONLY THESE COPIES OF THIS DOCUMENT SIGNED AND DATED IN CONTRASTING INK COLOR ARE TO BE CONSIDERED CERTIFIED OFFICIAL COPIES PER IOWA ADMINISTRATION CODE 193C-6.1(5)



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED 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.
 SIGNATURE: *Murray B. Berting*
 NAME: MURRAY B. BERTING
 DATE: 5-18-24 LICENSE NUMBER: 13148
 MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2024
 PAGES, SHEETS OR DIVISIONS COVERED BY THIS SEAL: B01
 B01

SHIVEHATTERY
 ARCHITECTURE + ENGINEERING

800.798.0313 | SHIVE-HATTERY.COM

PLAT OF SURVEY
 PARCEL 2024-86

KEMIN HOLDINGS LC
 606 SE 23RD STREET, DES MOINES, POLK COUNTY, IOWA

DATE	2024-04-28	SCALE	1" = 200'
DRAWN BY	CWH	FIELD BOOK	---
APPROVED BY	MBB	REVISION	###

PROJECT NO.
2142305880

PLAT OF SURVEY

B01