



Roll Call Number

Agenda Item Number

43 A

Date October 7, 2024

An Ordinance entitled, "AN ORDINANCE vacating air and subsurface rights in portions of Tuttle Street, SW 13th Street and Murphy Street right-of-way adjoining 1300 Tuttle Street",

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

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

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A PART OF STREET LOT 'A', GRAY'S STATION PLAT 5, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID STREET LOT 'A'; THENCE SOUTH $06^{\circ}58'06''$ EAST ALONG THE EASTERLY LINE OF SAID STREET LOT 'A', 17.52 FEET; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 856.39 FEET, WHOSE ARC LENGTH IS 54.99 FEET AND WHOSE CHORD BEARS SOUTH $04^{\circ}59'29''$ EAST, 54.99 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 856.39 FEET, WHOSE ARC LENGTH IS 45.18 FEET AND WHOSE CHORD BEARS SOUTH $01^{\circ}38'25''$ EAST, 45.18 FEET; THENCE SOUTH $00^{\circ}08'11''$ EAST ALONG SAID EASTERLY LINE, 101.50 FEET; THENCE SOUTH $89^{\circ}51'49''$ WEST, 3.50 FEET; THENCE NORTH $00^{\circ}08'11''$ WEST, 101.50 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 852.89 FEET, WHOSE ARC LENGTH IS 45.00 FEET AND WHOSE CHORD BEARS NORTH $01^{\circ}38'25''$ WEST, 44.99 FEET; THENCE NORTH $86^{\circ}50'54''$ EAST, 3.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (513 SQUARE FEET). APPROXIMATE GROUND ELEVATION IS 20.00 FEET WITH THE BOTTOM OF BALCONY ELEVATION BEING APPROXIMATELY 27.00 FEET AND THE TOP OF BALCONY ELEVATION BEING APPROXIMATELY 65.00 FEET. ELEVATIONS ARE CITY OF DES MOINES VERTICAL DATUM.

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A PART OF STREET LOT 'A', GRAY'S STATION PLAT 5, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 40, SAID GRAY'S STATION PLAT 5; THENCE SOUTH $00^{\circ}08'11''$ EAST ALONG THE EAST LINE OF SAID STREET LOT 'A', 32.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH $00^{\circ}08'11''$ EAST ALONG SAID EAST LINE, 110.00 FEET; THENCE SOUTH $89^{\circ}51'49''$ WEST, 2.00 FEET; THENCE NORTH $00^{\circ}08'11''$ WEST, 110.00 FEET; THENCE NORTH $89^{\circ}51'49''$ EAST, 2.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (220 SQUARE FEET). APPROXIMATE GROUND ELEVATION IS 22.00 FEET WITH THE BOTTOM OF BALCONY ELEVATION BEING APPROXIMATELY 29.00 FEET AND THE TOP OF BALCONY ELEVATION BEING APPROXIMATELY 67.00 FEET. ELEVATIONS ARE CITY OF DES MOINES VERTICAL DATUM.

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THENCE NORTH 00°08'11" WEST, 105.80 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 857.39 FEET, WHOSE ARC LENGTH IS 18.20 FEET AND WHOSE CHORD BEARS NORTH 00°44'17" WEST, 18.19 FEET; THENCE NORTH 88°39'09" EAST, 1.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 124 SQUARE FEET.

B-3

A PART OF STREET LOT 'A', GRAY'S STATION PLAT 5, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 40, SAID GRAY'S STATION PLAT 5; THENCE NORTH 00°08'11" EAST ALONG THE EAST LINE OF SAID STREET LOT 'A', 26.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'49" WEST, 1.50 FEET; THENCE NORTH 00°08'11" WEST, 8.00 FEET; THENCE NORTH 89°51'49" EAST, 1.50 FEET TO SAID EAST LINE; THENCE SOUTH 00°08'11" EAST ALONG SAID EAST LINE, 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 12 SQUARE FEET.

B-4

A PART OF STREET LOT 'B', GRAY'S STATION PLAT 5, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 40, SAID GRAY'S STATION PLAT 5; THENCE SOUTH 89°19'18" EAST ALONG THE NORTH LINE OF SAID STREET LOT 'B', 27.81 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°19'18" EAST ALONG SAID NORTH LINE, 15.00 FEET; THENCE SOUTH 00°40'42" WEST, 1.00 FEET; THENCE NORTH 89°19'18" WEST, 15.00 FEET; THENCE NORTH 00°40'42" EAST, 1.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 15 SQUARE FEET.

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:


