



Roll Call Number

Agenda Item Number

44A

Date October 7, 2024

An Ordinance entitled, "AN ORDINANCE vacating portions of E. University Avenue right-of-way located north of and adjoining 1427 E. University Avenue",

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

44A

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 portions of E. University Avenue right-of-way located north of and adjoining 1427 E. University 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 portions of E. University Avenue right-of-way located north of and adjoining 1427 E. University Avenue, more specifically described as follows, be and is hereby vacated:

AN IRREGULAR SHAPED PORTION OF THE E UNIVERSITY AVENUE RIGHT OF WAY LYING WITHIN LOTS 278 THROUGH 284 INCLUSIVE, IN ASHBROOK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 280; THENCE S89°58'54"W ALONG THE SOUTH LINE OF SAID LOT 280 , A DISTANCE OF 36.1 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°58'54"W ALONG THE SOUTH LINE OF SAID LOTS 280, 279 AND 278, A DISTANCE OF 107.39 FEET; THENCE N14°45'06"W, A DISTANCE OF 3.99 FEET; THENCE N80°50'33"E, A DISTANCE OF 51.57 FEET; THENCE N72°00'14"E, A DISTANCE OF 52.54 FEET; THENCE N66°29'40"E, A DISTANCE OF 107.60 FEET; THENCE NORTHEASTERLY ALONG A 350.0 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 142.48 FEET, SAID CURVE HAVING A CHORD BEARING OF N78°09'24"E AND A CHORD LENGTH OF 141.50 FEET; THENCE N89°49'08"E, A DISTANCE OF 6.89 FEET; THENCE S01°03'17"W, A DISTANCE OF 9.94 FEET; THENCE N89°58'19"W, A DISTANCE OF 50.00 FEET; THENCE N01°03'17"E, A DISTANCE OF 6.82 FEET; THENCE SOUTHWESTERLY ALONG A 555.54 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A

DISTANCE OF 112.45 FEET, SAID CURVE HAVING A CHORD BEARING OF S73°15'59"W AND A CHORD LENGTH OF 112.26 FEET; THENCE S67°04'54"W, A DISTANCE OF 93.90 FEET; THENCE S14°55'06"E, A DISTANCE OF 29.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,187 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.

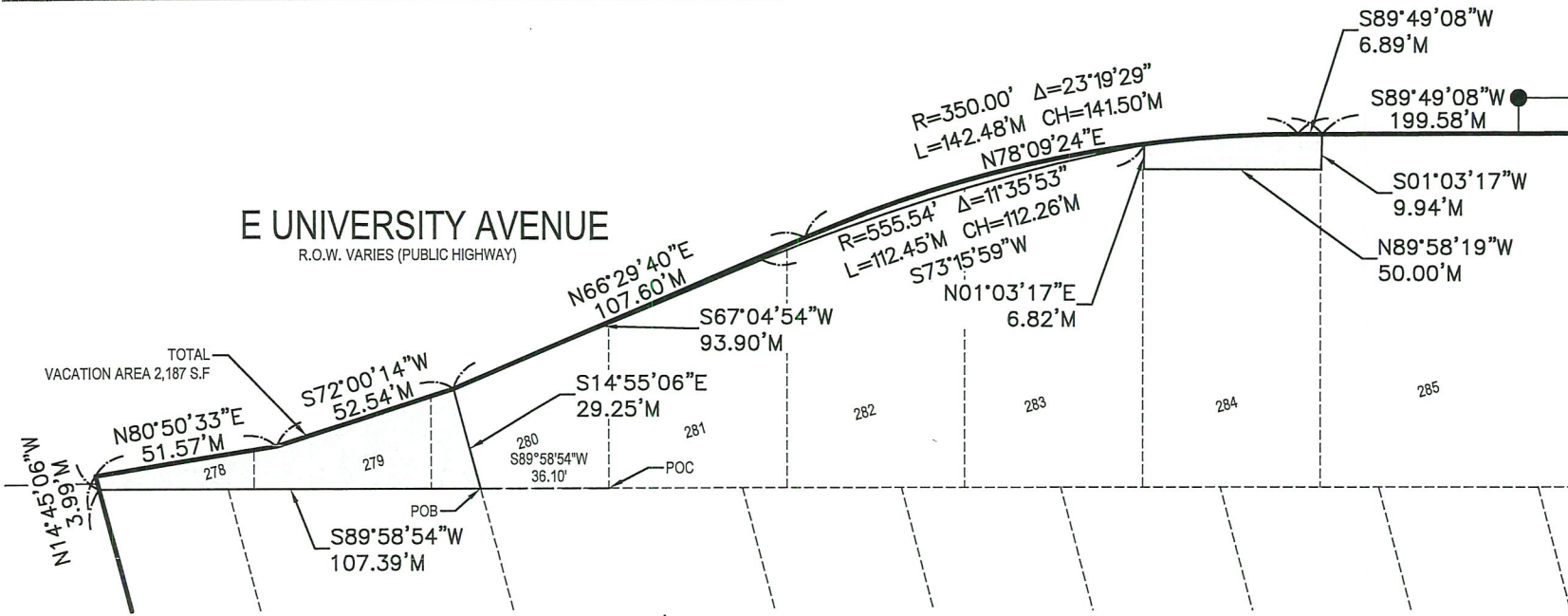
Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Mackenzie L. Moreno
Assistant City Attorney

VACATION EXHIBIT

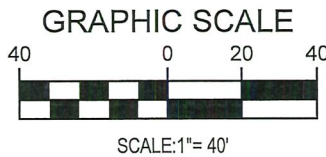


E UNIVERSITY AVENUE
R.O.W. VARIES (PUBLIC HIGHWAY)

TOTAL VACATION AREA 2,187 S.F.

PREPARED FOR:
DES MOINES INDEPENDENT
COMMUNITY SCHOOL DISTRICT
EAST HIGH SCHOOL
2100 FLEUR DR
DES MOINES, IA 50321
515-242-7911

OWNER:
THE CITY OF DES MOINES
400 ROBERT D RAY DRIVE
DES MOINES, IA 50309



LEGAL DESCRIPTION:
AN IRREGULAR SHAPED PORTION OF THE E UNIVERSITY AVENUE RIGHT OF WAY LYING WITHIN LOTS 278 THROUGH 284 INCLUSIVE, IN ASHBROOK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 280; THENCE S89°58'54"W ALONG THE SOUTH LINE OF SAID LOT 280, A DISTANCE OF 36.1 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°58'54"W ALONG THE SOUTH LINE OF SAID LOTS 280, 279 AND 278, A DISTANCE OF 107.39 FEET; THENCE N14°45'06"W, A DISTANCE OF 3.99 FEET; THENCE N80°50'33"E, A DISTANCE OF 51.57 FEET; THENCE N72°00'14"E, A DISTANCE OF 52.54 FEET; THENCE N66°29'40"E, A DISTANCE OF 107.60 FEET; THENCE NORTHEASTERLY ALONG A 350.0 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 142.48 FEET, SAID CURVE HAVING A CHORD BEARING OF N78°09'24"E AND A CHORD LENGTH OF 141.50 FEET; THENCE N89°49'08"E, A DISTANCE OF 6.89 FEET; THENCE S01°03'17"W, A DISTANCE OF 9.94 FEET; THENCE N89°58'19"W, A DISTANCE OF 50.00 FEET; THENCE N01°03'17"E, A DISTANCE OF 6.82 FEET; THENCE SOUTHWESTERLY ALONG A 555.54 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 112.45 FEET, SAID CURVE HAVING A CHORD BEARING OF S73°15'59"W AND A CHORD LENGTH OF 112.26 FEET; THENCE S67°04'54"W, A DISTANCE OF 93.90 FEET; THENCE S14°55'06"E, A DISTANCE OF 29.25 FEET TO THE POINT OF BEGINNING.
CONTAINING 2,187 SQUARE FEET

Eys 8-12-24



VACATION EXHIBIT
LOTS 278-284
ASHBROOK
DES MOINES, IOWA

REFERENCE NUMBER:
220131
DRAWN BY:
C.JC
PROJECT NUMBER:
230515