



Roll Call Number

Agenda Item Number

47A

Date October 21, 2024

An Ordinance entitled, "AN ORDINANCE vacating East 36th Street from East Sheridan Avenue to Arthur Avenue, East 36th Court from East Sheridan Avenue to Arthur Avenue, Arthur Avenue to the west of East 37th Street, East 40th Court to the south of East Jefferson Avenue, and Lot Q between the vacated Four Mile Drive and the south line of Lot Q",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Chas M. Cahill
Chas M. Cahill
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

Prepared by: Chas M. Cahill, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4533
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating East 36th Street from East Sheridan Avenue to Arthur Avenue, East 36th Court from East Sheridan Avenue to Arthur Avenue, Arthur Avenue to the west of East 37th Street, East 40th Court to the south of East Jefferson Avenue, and Lot Q between the vacated Four Mile Drive and the south line of Lot Q.

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 East 36th Street from East Sheridan Avenue to Arthur Avenue, East 36th Court from East Sheridan Avenue to Arthur Avenue, Arthur Avenue to the west of East 37th Street, East 40th Court to the south of East Jefferson Avenue, and Lot Q between the vacated Four Mile Drive and the south line of Lot Q, more specifically described as follows, be and is hereby vacated:

ALL OF LOT V, AND

ALL THAT PART OF LOT M LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 857, AND

ALL THAT PART OF LOT N LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 893,

ALL IN FOUR MILE, AN OFFICIAL PLAT,

AND

LOT J, ELMWOOD PARK, AN OFFICIAL PLAT, **-EXCEPT** THE FOLLOWING DESCRIBED AREA: BEGINNING AT THE SOUTHEAST CORNER OF LOT 248 IN SAID ELMWOOD PARK; THENCE NORTH ALONG THE WEST LINE OF SAID LOT J, A

DISTANCE OF 70.0 FEET; THENCE EAST AND PERPENDICULAR TO SAID WEST LINE TO THE EAST LINE OF SAID LOT J; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT J; THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING-

AND

ALL OF LOT Q IN SAID ELMWOOD PARK,

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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:



Chas M. Cahill
Assistant City Attorney

EXHIBIT A
SHT 1 OF 3

NORTH LINE
OF LOT 893

E Sheridan Ave

LOT 893

LOT 857

NORTH LINE
OF LOT 857

PK LOT N

PT LOT M

E 36th St

E 36th Ct

E 37th St

FOUR MILE

LOT V

Arthur Ave



Legend



AREA TO BE VACATED

EXHIBIT A
SHT 2 OF 3

E Jefferson Ave

ELMWOOD PARK

PT LOT J
E 40th Ct

LOT 248

70 FT
PT LOT J

WEST LINE
OF LOT J

EAST LINE
OF LOT J

SE CORNER
OF LOT 248

SOUTH LINE
OF LOT J



Legend
 AREA TO BE VACATED

EXHIBIT A
SHT 3 OF 3

NORTH LINE
OF LOT Q

Vac Four Mile Dr

WEST LINE
OF LOT Q

ELMWOOD PARK

EAST LINE
OF LOT Q

LOT Q

Four Mile Creek

SOUTH LINE
OF LOT Q

NORTH

Legend



AREA TO BE VACATED

