



Roll Call Number

Agenda Item Number

45A

Date April 21, 2025

An Ordinance entitled, "AN ORDINANCE vacating surface rights in portions of College Avenue right-of-way adjoining 1601 6th 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/ Grant Hyland
Grant Hyland
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

45A

Prepared by: Grant Hyland, 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 surface rights in portions of College Avenue right-of-way adjoining 1601 6th 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 the surface rights in portions of College Avenue right-of-way adjoining 1601 6th Avenue, more specifically described as follows, be and is hereby vacated:

PART OF THE RIGHT-OF-WAY OF COLLEGE AVENUE BEING PART OF THE SOUTH 30 FEET OF LOT 12 IN BLOCK 3 OF THE OFFICIAL PLAT OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 34, TOWNSHIP 79 NORTH, RANGE 24 WEST, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH 45 FEET OF THE SOUTH 75 FEET OF THE WEST 84 FEET OF SAID LOT 12, BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE AND THE EAST RIGHT-OF-WAY LINE OF 6TH AVENUE; THENCE SOUTH 89°46'59" EAST, 0.76 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°46'59" EAST, 60.84 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE AVENUE; THENCE SOUTH 00°13'01" WEST, 1.25 FEET; THENCE NORTH 89°46'59" WEST, 60.84 FEET; THENCE NORTH 00°13'01" EAST, 1.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 76 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.

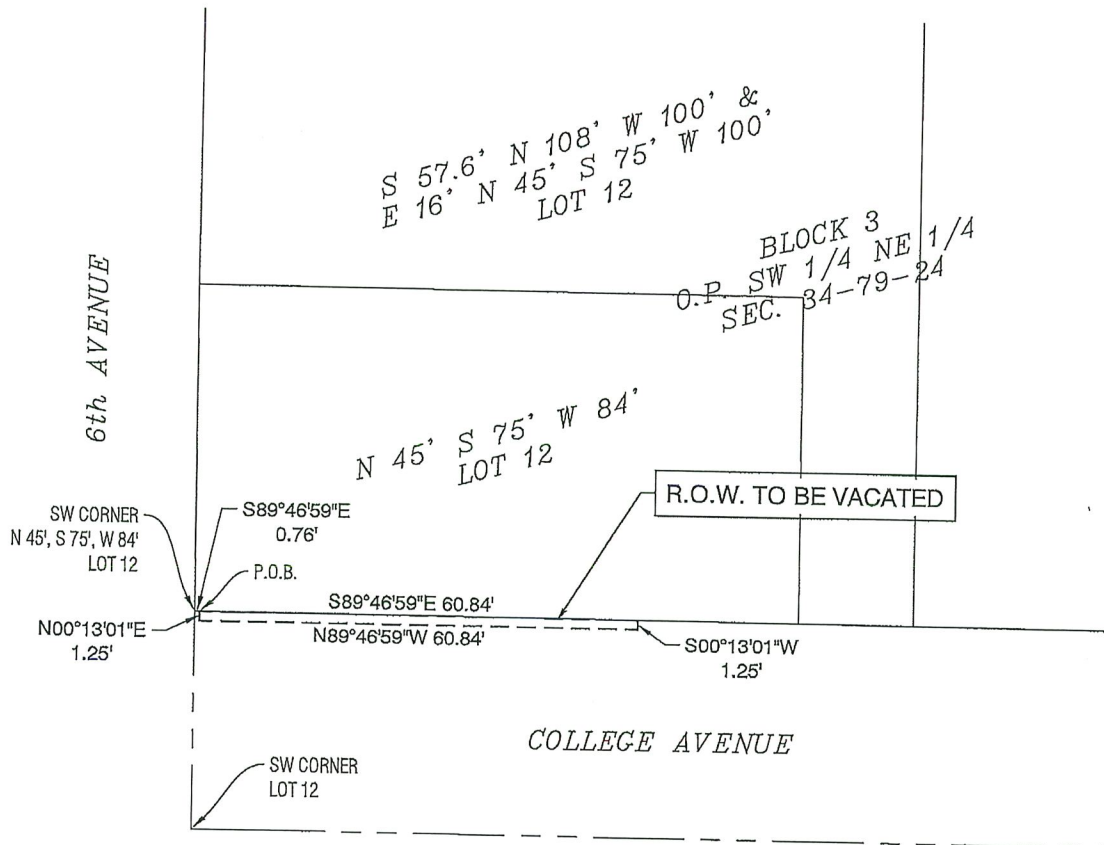
FORM APPROVED:

/s/ Grant Hyland

Grant Hyland
Assistant City Attorney

EXHIBIT 'A'

PUBLIC R.O.W. TO BE VACATED



SITE ADDRESS:
1601 6th AVENUE
DES MOINES, IA 50309

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

PREPARED FOR:
INDIGO DAWN LLC
800 19th STREET, SUITE 300
DES MOINES, IA 50314

PROPERTY DESCRIPTION:

Part of the right-of-way of College Avenue being part of the South 30 feet of Lot 12 in Block 3 of the Official Plat of the SW 1/4 of the NE 1/4 of Section 34, Township 79 North, Range 24 West, now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as follows:

Commencing at the Southwest corner of the North 45 feet of the South 75 feet of the West 84 feet of said Lot 12, being the intersection of the North right-of-way line of College Avenue and the East right-of-way line of 6th Avenue; thence South 89°46'59" East, 0.76 feet along the North right-of-way line of College Avenue to the Point of Beginning; thence continuing South 89°46'59" East, 60.84 feet along the North right-of-way line of College Avenue; thence South 00°13'01" West, 1.25 feet; thence North 89°46'59" West, 60.84 feet; thence North 00°13'01" East, 1.25 feet to the point of beginning.

Containing 76 square feet.



SCALE 1"=20'
0 20'



Clapsaddle-Garber Associates, Inc.
2413 Grand Avenue
Des Moines, Iowa 50312
Ph 515-288-4829
www.cgaconsultants.com

EAS 3-24-25

24-DS-0080