



**Roll Call Number**

**Agenda Item Number**

48A

**Date** May 19, 2025

An Ordinance entitled, "AN ORDINANCE vacating air rights in a portion of Ingersoll Avenue right-of-way adjoining 3711 Ingersoll Avenue, Des Moines, Iowa",

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

48A

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 air rights in a portion of Ingersoll Avenue right-of-way adjoining 3711 Ingersoll Avenue, Des Moines, Iowa.

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 air rights in a portion of Ingersoll Avenue right-of-way adjoining 3711 Ingersoll Avenue, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

A PART OF INGERSOLL AVENUE RIGHT-OF-WAY IN DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL '2021-251', AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 19190, PAGE 899 IN SAID CITY OF DES MOINES; THENCE SOUTH 89°02'50" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL '2021-251', A DISTANCE OF 6.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°02'50" EAST ALONG SAID SOUTHERLY LINE, 39.29 FEET; THENCE SOUTH 00°57'10" WEST, 2.42 FEET; THENCE SOUTH 58°57'12" WEST, 18.74 FEET; THENCE SOUTH 00°57'10" WEST, 2.89 FEET; THENCE NORTH 89°02'50" WEST, 7.71 FEET; THENCE NORTH 00°57'10" EAST, 2.87 FEET; THENCE NORTH 57°47'37" WEST, 18.34 FEET; THENCE NORTH 00°57'10" EAST, 2.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (354 SQUARE FEET). GROUND ELEVATION = 147.02 FEET. BOTTOM OF SIGN ELEVATION = 155.70 FEET. TOP OF SIGN ELEVATION 163.92 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

# VACATION EXHIBIT

## VACATION DESCRIPTION

A PART OF INGERSOLL AVENUE RIGHT-OF-WAY IN DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL '2021-251', AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 19190, PAGE 899 IN SAID CITY OF DES MOINES; THENCE SOUTH 89°02'50" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL '2021-251', A DISTANCE OF 6.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°02'50" EAST ALONG SAID SOUTHERLY LINE, 39.29 FEET; THENCE SOUTH 00°57'10" WEST, 2.42 FEET; THENCE SOUTH 58°57'12" WEST, 18.74 FEET; THENCE SOUTH 00°57'10" WEST, 2.89 FEET; THENCE NORTH 89°02'50" WEST, 7.71 FEET; THENCE NORTH 00°57'10" EAST, 2.87 FEET; THENCE NORTH 57°47'37" WEST, 18.34 FEET; THENCE NORTH 00°57'10" EAST, 2.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (354 SQUARE FEET). GROUND ELEVATION = 147.02 FEET. BOTTOM OF SIGN ELEVATION = 155.70 FEET. TOP OF SIGN ELEVATION 163.92 FEET.

