



**Roll Call Number**

**Agenda Item Number**

49A

**Date** May 19, 2025

An Ordinance entitled, "AN ORDINANCE vacating surface rights in a portion of Euclid Avenue right-of-way adjoining 515 Euclid 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

49A

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 a portion of Euclid Avenue right-of-way adjoining 515 Euclid 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 surface rights in a portion of Euclid Avenue right-of-way adjoining 515 Euclid Avenue, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

PART OF THE RIGHT-OF-WAY OF EUCLID AVENUE, PLAT OF HIGHLAND PARK, CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 12, BLOCK 22, SAID PLAT OF HIGHLAND PARK; THENCE N89°30'40"E ON THE SOUTH LINE OF SAID LOT 12 A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF AN EXISTING STOOP, SAID POINT BEING THE POINT OF BEGINNING; (THE FOLLOWING FOUR COURSES ARE COMMON TO THE EDGE OF SAID STOOP) THENCE CONTINUING N89°30'40"E ON SAID SOUTH LINE A DISTANCE OF 4.00 FEET; THENCE S00°29'20"E A DISTANCE OF 1.50 FEET; THENCE S89°30'40"W A DISTANCE OF 4.00 FEET; THENCE N00°29'20"W A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING, CONTAINING 6 SQUARE FEET AND BEING SUBJECT TO ANY AND ALL EASEMENTS, BE THEY OF RECORD OR NOT.

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:

515 EUCLID AVE  
DES MOINES, IA 50313 - 4237

### PROPERTY OWNER:

City of Des Moines

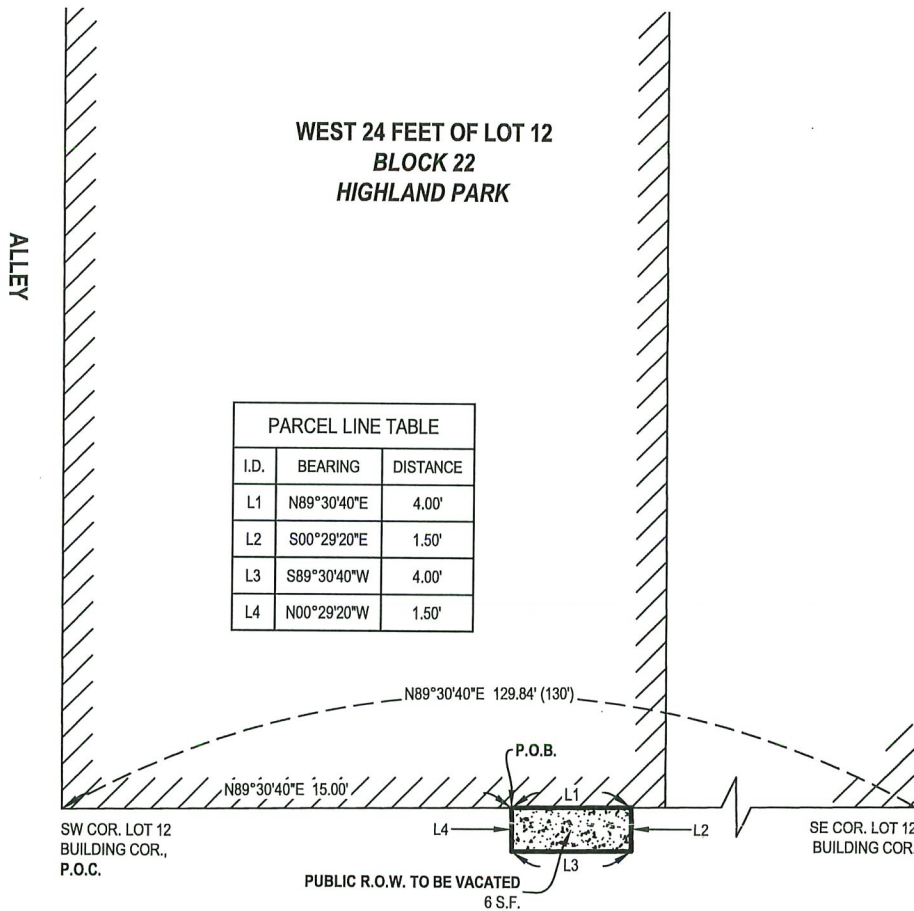
### PREPARED FOR:

White Oak Realty  
2843 Grand Ave  
Des Moines, IA 50312

### LEGAL DESCRIPTION:

Part of the Right-of-Way of Euclid Avenue, Plat of Highland Park, City of Des Moines, Polk County, Iowa, more particularly described as follows:

COMMENCING at the Southwest Corner of Lot 12, Block 22, said Plat of Highland Park; thence N89°30'40"E on the South line of said Lot 12 a distance of 15.00 feet to the Northwest Corner of an existing stoop, said point being the POINT OF BEGINNING; (the following four courses are common to the edge of said stoop) thence continuing N89°30'40"E on said South line a distance of 4.00 feet; thence S00°29'20"E a distance of 1.50 feet; thence S89°30'40"W a distance of 4.00 feet; thence N00°29'20"W a distance of 1.50 feet to the POINT OF BEGINNING, containing 6 square feet and being subject to any and all easements, be they of record or not.



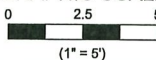
### NOTES:

-BEARINGS ARE ASSUMED TO BEAR AS SHOWN FROM THE IOWA REGIONAL COORDINATE SYSTEM, ZONE 8: AMES - DES MOINES. ALL DISTANCES MEASURED USING THE U.S. SURVEY FOOT.  
-SEE PREVIOUS PLAT OF SURVEY RECORDED IN SURVEY BOOK 20060, PAGE 39, LOCATED IN THE POLK COUNTY RECORDER'S OFFICE.

### LEGEND

- BUILDING FOOTPRINT
- CONCRETE STOOP
- ( ) RECORD DIMENSION

### GRAPHIC SCALE



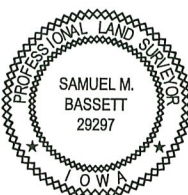
BEI PROJECT #: S25080

DRAFTED BY: AJ

SURVEYED: APR., 2025 BY AJ

**BEI**

Civil Engineering - Land Surveying  
Landscape Architecture - Architecture



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Date: 04-07-2025 *SB*

Samuel M. Bassett, P.L.S. #29297

License renewal date: 12/31/2025

Pages certified by this seal: 1