



Roll Call Number

Agenda Item Number

IdoA

Date.....September 29, 2025.....

An Ordinance entitled, "AN ORDINANCE repealing Ordinance No. 16,396 and 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/ 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

66A

Prepared by: Grant Hyland, Assistant City Attorney, PO Box 224, Des Moines, Iowa 50306-0224, (515) 283-4535
Return to: City of Des Moines, City Clerk's Office, PO Box 224, Des Moines, Iowa 50306-0224

ORDINANCE NO. _____

AN ORDINANCE repealing Ordinance No. 16,396 and 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 WESTERLY EXTENSION OF THE NORTH LINE OF LOT 857, AND

ALL THAT PART OF LOT N LYING SOUTH OF THE WESTERLY 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:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

60A

EXHIBIT A
SHT 1 OF 3

NORTH LINE
OF LOT 893

E Sheridan Ave

LOT 893

LOT 857

NORTH LINE
OF LOT 857

PT LOT N

E 36th St

FOUR MILE

PT LOT M

E 36th Ct

E 37th St

LOT V

Arthur Ave



Legend



AREA TO BE VACATED

EXHIBIT A
SHT 2 OF 3

ELMWOOD PARK

E Jefferson Ave

PT. LOT J, E 40th Ct

**WEST LINE
OF LOT J**

**EAST LINE
OF LOT J**

70 FT

PT. LOT J

LOT 248

**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



Legend



AREA TO BE VACATED