

★ Roll Call Number
11-0509

Agenda Item Number
14

Date March 28, 2011

**RESOLUTION REDEDICATING A 165-FOOT SEGMENT OF VACATED
SOUTHEAST 21ST STREET RIGHT-OF-WAY LYING SOUTH OF MAURY STREET**

WHEREAS, on March 3, 1938, by Roll Call No. 5019, the City Council passed Ordinance No. 4413 vacating all that part of Southeast 21st Street extending from the south line of Lots 7 and 10 to the north line of Lots 3 and 14, Yount's Addition to the City of Des Moines, Iowa; and

WHEREAS, two properties adjoining said vacated right-of-way require access off of vacated Southeast 21st Street for development and use of their properties; and

WHEREAS, City staff has determined that rededication of the north 165 feet of previously vacated Southeast 21st Street is needed to allow access to both of the adjoining properties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The portion of vacated Southeast 21st Street described below is hereby rededicated as public right-of-way for Southeast 21st Street:

The north 165.00 feet of vacated Southeast 21st Street right-of-way (vacated by Ordinance No. 4413, passed March 3, 1938) lying east of and adjoining the following described property:

A part of Lot 2 of the Official Plat of the NE ¼ of Section 11, Township 78 North, Range 24 West of the 5th P.M. in the City of Des Moines, Polk County, Iowa, and more particularly described as follows: Beginning 6.00 feet East of the SE corner of Lot 2 of the Official Plat of Lots 15, 16, 17 and 18 of Yount's Addition of Out Lots, an Official Plat, said point being the SE corner of Lot 15 of Yount's Addition of Out Lots, an Official Plat, and lying on the west line of vacated SE 21st Street right-of-way; thence South 00°(Degrees) 25'(Minutes) 46"(Seconds) East, along said right-of-way line, a distance of 401.13 feet; thence North 81°21'13" West, a distance of 255.64 feet; thence North 23°28'11" West, a distance of 364.60 feet; thence North 67°01'21" West, a distance of 63.83 feet to a point on the South line of said Lot 2 of the Official Plat of Lots 15, 16, 17 and 18 of Yount's Addition of Out Lots, thence North 89°34'48" East, along said South line a distance of 453.71 feet to the point of beginning.

2. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Polk County Recorder's Office for the purpose of causing said document to be recorded.

★ Roll Call Number
11-0509

Agenda Item Number
14

Date March 28, 2011

Moved by Wendley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

rau

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

T. M. Franklin Mayor

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh City Clerk