



Roll Call Number

15-1461

Agenda Item Number

52A

Date August 24, 2015

RESOLUTION DEDICATING EAST ELM STREET RIGHT-OF-WAY BETWEEN SOUTHEAST 35TH STREET AND SOUTHEAST 36TH STREET

WHEREAS, on September 23, 2013, by Roll Call 13-1508, the City Council of the City of Des Moines, Iowa, authorized acquisition of the necessary right-of-way and easements required for the UPRR Closing Mitigation Project by gift, negotiation or eminent domain; and

WHEREAS, as part of this project, property was acquired for construction of East Elm Street right-of-way between Southeast 35th Street and Southeast 36th Street; and

WHEREAS, the property described below and shown on the attached Acquisition Plats identifies the land appropriate for dedication for the East Elm Street right-of-way.

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

The parcel of City-owned land between Southeast 35th Street and Southeast 36th Street, legally described below and also shown on the attached Acquisition Plats, is hereby dedicated as public right-of-way for East Elm Street:

ALL THE EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 11 AND A PART OF LOTS 10 AND 11, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 00° (DEGREES) 09' (MINUTES) 27" (SECONDS) EAST ALONG THE WEST LINE OF SAID BLOCK 1, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°09'27" EAST, 119.77 FEET TO THE INTERSECTION OF THE PROJECTED WEST LINE OF SAID BLOCK 1 AND THE NORTH LINE OF LOT "A" OF SAID JOHNSON PLACE; THENCE SOUTH 70°17'14" EAST ALONG SAID NORTH LINE, 275.26 FEET TO THE INTERSECTION OF THE PROJECTED EAST LINE OF SAID LOTS 10 AND 11; THENCE SOUTH 0°10'06" WEST ALONG SAID PROJECTED LINE, 63.67 FEET; THENCE NORTH 70°17'14" WEST 60.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF LOT A, 134.35 FEET; THENCE NORTH 76°53'45" WEST, 99.97 FEET; THENCE SOUTH 60°10'45" WEST, 32.81 FEET; THENCE SOUTH 25°01'33" WEST, 16.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.42 ACRES (18162 S.F.);

AND



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THE NORTHERLY 44.00 FEET (AS MEASURED PERPENDICULAR TO THE NORTHERLY LINE) OF LOT 1, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA AND CONTAINING 0.28 ACRES (12371 S.F.);

AND

THE EAST/WEST VACATED ALLEY LYING NORTH OF AND ADJOINING LOT 1, BLOCK 1, JOHNSON PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES. CONTAINING 0.10 ACRES (4499 S.F.).

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO		✓		
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE		✓		
TOTAL	5	2		

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

T. M. Franklin Council Mayor