

Date March 21, 2022

RESOLUTION REDEDICATING THE WEST TWO FEET OF 40TH STREET BETWEEN INGERSOLL AVENUE AND GRAND AVENUE FOR RIGHT-OF-WAY PURPOSES

WHEREAS, Greenwood Park was originally platted in 1886 with Greenwood Lane, also known as 39th Street, and now known as 40th Street being sixty-six feet in width; and

WHEREAS, on June 23, 1902, the City Council of the City of Des Moines passed Ordinance No. 1169 vacating the west two feet of Greenwood Lane, also known as 39th Street, and now known as 40th Street between Ingersoll Avenue and Grand Avenue; and

WHEREAS, the vacated right-of-way was never transferred to the adjoining property owners as instructed in Ordinance No. 1169; and

WHEREAS, the previously vacated west two feet of 40th Street right-of-way between Ingersoll Avenue and Grand Avenue is now needed for roadway and pedestrian way purposes and requires rededication as public right-of-way.

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

1. Previously vacated west two feet of 40th Street right-of-way between Ingersoll Avenue and Grand Avenue, legally described as follows, is hereby rededicated as public right-of-way.

THE VACATED WEST 2.0 FEET OF 40TH STREET LYING EAST OF AND ADJOINING LOT 9 OF GREENWOOD PARK, AN OFFICIAL PLAT, LYING SOUTH OF THE SOUTH RIGHT OF WAY OF INGERSOLL AVENUE AS PRESENTLY ESTABLISHED, AND LYING NORTH OF THE NORTH RIGHT OF WAY OF GRAND AVENUE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,166 SQUARE FEET.

2. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Real Estate Division.

3. The Real Estate Division is authorized and directed to forward the certified copy of this resolution to the Polk County Recorder for the purpose of causing said document to be recorded.



Roll Call Number

22-0400

Agenda Item Number

13

Date March 21, 2022

Moved by Boesen to adopt.

Second by Gatto.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

Dx

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Franklin Cownie
Mayor

P. Kay Cmelik
City Clerk