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Date January 9, 2023

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR THE VACATION OF
ALLEN PARK AS PARKLAND DUE TO THE DES MOINES RIVER LEVEE
ALTERATIONS PROJECT – PHASE C**

WHEREAS, on November 9, 2020, by Roll Call No. 20-1756, the City Council of the City of Des Moines voted to approve the acquisition of property interests required for the Des Moines River Levee Alterations - Phases B and C Project (hereinafter "Project"); and

WHEREAS, on August 22, 2022, by Roll Call No. 22-1318, the City Council of the City of Des Moines approved the acquisition of property located in the vicinity of Southeast 5th Street and East Titus Avenue, and passed Ordinance No. 22-382 dedicating said property as City parkland; and

WHEREAS, Allen Park, located along the Des Moines River at 800 Southeast 6th Street, will be significantly impacted by the Project, and the City Parks and Recreation Department recommends that the current location be vacated as parkland and Allen Park be relocated to the Southeast 5th Street and East Titus Avenue location; and

WHEREAS, there is no known current public need or benefit for the parkland proposed to be vacated and the City will not be inconvenienced by the vacation of said parkland.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating Allen Park, legally described as follows:

A PART OF VACATED MAURY STREET RIGHT OF WAY, A PART OF BLOCK 66, A PART OF BLOCK 67, A PART OF BLOCK 68, A PART OF VACATED VALE STREET RIGHT OF WAY, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET AND THE NORTH RIGHT OF WAY LINE OF VACATED MAURY STREET; THENCE SOUTH ALONG THE SAID WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET TO THE INTERSECTION WITH THE NORTHEASTERLY BANK OF THE DES MOINES RIVER; THENCE NORTHWESTERLY ALONG SAID BANK TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF VACATED MAURY STREET; THENCE EAST ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 2.8 ACRES.

2. That the meeting of the City Council at which the proposed vacation of said parkland and adoption of said ordinance are to be considered shall be on January 23, 2023, said hearing to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.

Date January 9, 2023

Please check the posted agenda in advance of the January 23, 2023 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

<small>Q/M</small> COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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.

Laura Baumgartner, City Clerk

