



Date June 30, 2025

**SET HEARING FOR VACATION OF TWO IRREGULAR SHAPED SEGMENTS
OF UNDEVELOPED RIGHT-OF-WAY LOCATED IN THE VICINITY OF
6200 SCOUT TRAIL AND RELEASE OF THE PERMANENT EASEMENT
FOR PUBLIC RIGHT OF WAY ON SAID PROPERTY**

WHEREAS, on May 22, 2025, the City Plan and Zoning Commission approved a request from Bell Avenue Properties, Inc. represented by Jonathan Koehn, Officer, for the vacation of two irregular shaped segments of undeveloped right-of-way adjoining 6200 Scout Trail, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated at the applicant's expense; and

WHEREAS, on June 9, 2025, by Roll Call No. 25-0821, the City Council of the City of Des Moines received and filed the recommendation from the Plan and Zoning Commission that the two irregular shaped segments of undeveloped right-of-way, measuring approximately 2,550 square feet and 11,228 square feet in area, in the vicinity of 6200 Scout Trail, as legally described below, be vacated subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated at the applicant's expense; and

WHEREAS, on December 4, 2020, Bell Avenue Properties, Inc. granted the City of Des Moines ("City") a Permanent Easement for Public Right of Way ("Easement") as recorded in the Office of the Polk County Recorder on January 26, 2021 in Book 18324, Page 708, for the future continuation of Scout Trail. This Easement was granted to the City for no consideration as required for approval of the site plan for the property at 6200 Scout Trail; and

WHEREAS, the plans for the continuation of Scout Trail have since been abandoned, and the City does not intend to extend the trail to connect further east; and

WHEREAS, Bell Avenue Properties, Inc. has requested that the City release the Easement, allowing them to assemble the vacated right-of-way with their adjoining property; and

WHEREAS, there is no known current or future public need or benefit for the public right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said property and release of the Easement in such vacated right-of-way.

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 two irregular shaped segments of undeveloped right-of-way located in the vicinity of 6200 Scout Trail, Des Moines, Iowa, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:



Date June 30, 2025

A PORTION OF A 60.00 FOOT WIDE PUBLIC RIGHT-OF-WAY EASEMENT (e) IN LOT 1, AIRPORT INDUSTRIAL PARK PLAT 3, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID LOT 1; THENCE S89°57'51"E, 296.72 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 540.00 FEET AND A CHORD BEARING S79°36'59"W, AN ARC LENGTH OF 307.01 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE N42°14'42"E, 73.54 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO A POINT; THENCE N89°57'51"E, 248.50 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING

AND

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID LOT 1; THENCE S89°57'51"E, 545.22 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO A POINT; THENCE S42°14'42"W, 85.63 FEET ALONG SAID NORTH LINE TO A POINT; THENCE N56°17'08"W, 10.21 FEET ALONG SAID NORTH LINE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 910.00 FEET AND A CHORD BEARING N56°40'19"W, AN ARC LENGTH OF 12.28 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET AND A CHORD BEARING N74°06'50"W, AN ARC LENGTH OF 133.95 FEET TO A POINT THAT COINCIDES WITH SAID NORTH LINE OF LOT 1; THENCE N24°35'47"E, 29.87 FEET ALONG SAID COINCIDING LINE TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 910.00 FEET AND A CHORD BEARING S61°13'52"E, AN ARC LENGTH OF 132.54 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

2. That if the City Council of the City of Des Moines, Iowa, first decides to vacate the above described right-of-way, the City of Des Moines further proposes to release the Permanent Easement for Public Right of Way that encumbers said property.
3. That the meeting of the City Council at which the vacation of said right-of-way and release of easement are to be considered shall be on July 14, 2025, 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



Date June 30, 2025

hearing. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

4. 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.

5. There will be no proceeds associated with this transaction.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/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		

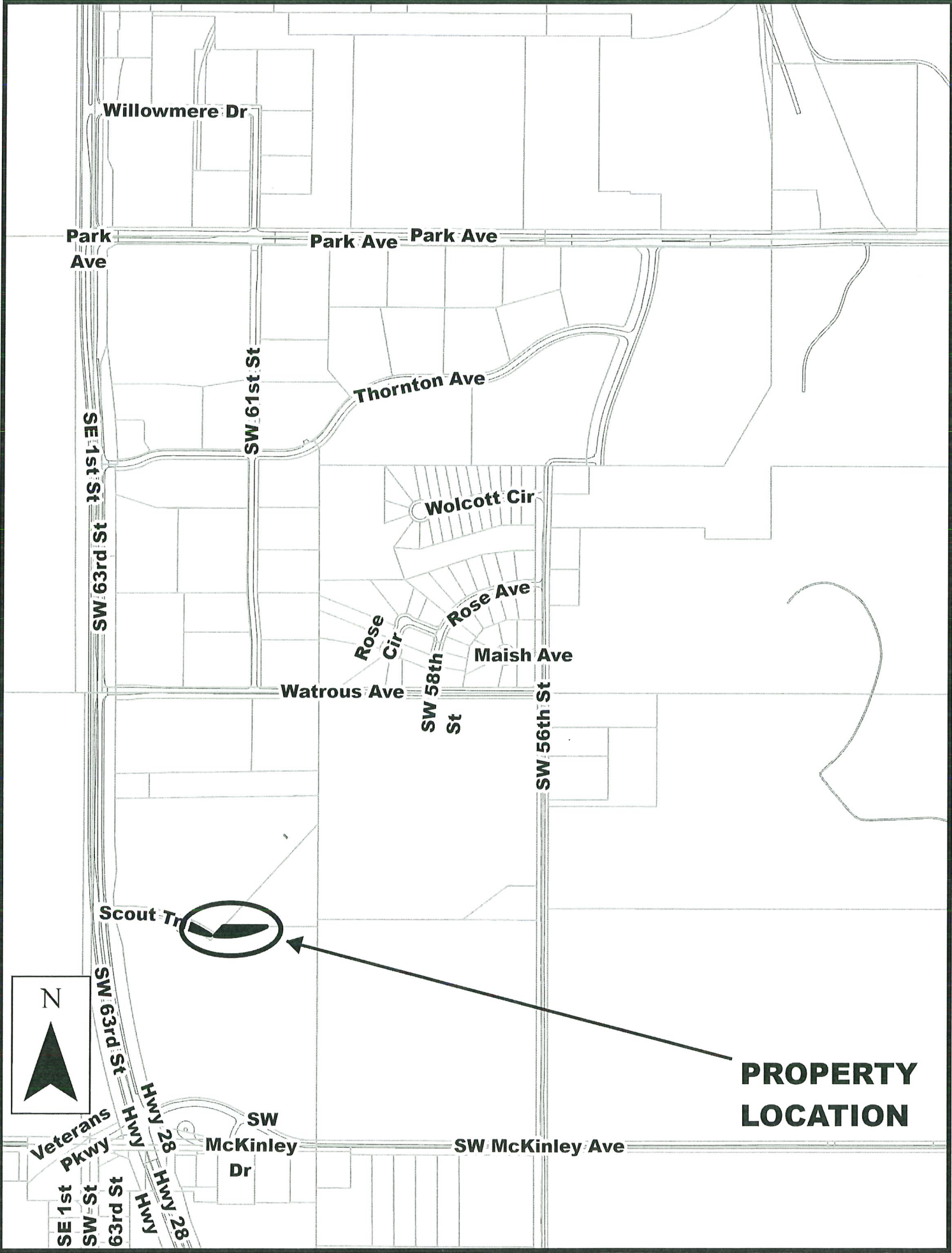
Mayor

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



Date 6/30/25

Agenda Item 30

Roll Call # _____

May 22, 2025

Communication from the City Plan and Zoning Commission advising that at their May 15, 2025 meeting, the following action was taken on a request from Bell Avenue Properties, INC (owner), represented by Jonathan Koehn (officer), for vacation of two (2) irregular shaped segments of undeveloped right-of-way, measuring approximately 2,550 square feet and 11,228 square feet in area, in the vicinity of 6200 Scout Trail, to allow the vacated area to be assembled and maintained for private use.

COMMISSION RECOMMENDATION: 13-0

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Kayla Berkson	X				
Chris Draper	X				
Laura Kessel	X				
Todd Garner	X				
Johnny Alcivar	X				
Carolyn Jenison					X
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette					X
Rick Trower	X				
Jane Rongerude	X				
John Erpelding	X				

Approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, as well as provision of any necessary no-build easements.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense and provision of any necessary no-build easements.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation would enable the adjoining property owner (Waldinger Corporation) to assemble two (2) irregular shaped portion of undeveloped right-of-way with their property. These segments of land had been designated as right-of-way for the future continuation of Scout Trail. Those plans have since been abandoned, and the City does not intend to extend Scott Trail to connect further east.
2. **Size of Site:** 2,550 square feet and 11,228 square feet (total of 13,778 square feet).
3. **Existing Zoning (site):** "EX" Mixed-Use District.
4. **Existing Land Use (site):** The subject area consists of undeveloped right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "EX" and "P2"; Uses are Mid-Iowa Council Boy Scouts of America campus.
 - South* – "EX", Uses are industrial including Waldinger Corporation office and parking lot.
 - East* – "EX"; Uses are part of Waldinger Corporation property which is currently undeveloped.
 - West* – "ROW" and "EX", Uses are Scout Trail right-of-way and Mid-Iowa Boy Scouts of America property.
6. **General Neighborhood/Area Land Uses:** The applicant's adjoining property consists of the Waldinger Corporation office and warehouse building, and paved surface parking. The surrounding area consists of predominantly light industrial uses along the east side of Southwest 63rd Street and the Browns Woods open space area to the west within the City of West Des Moines.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the Southwestern Hills Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on April 25, 2025, and of the Final Agenda on May 9, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on April 25, 2025 (20 days prior to the public hearing) and May 5, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailing.

8. Relevant Zoning History: None.

9. PlanDSM: Creating Our Tomorrow Land Use Plan Designation: Business Park.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. Utilities: There is an existing sanitary sewer conduit within the northwest corner of the eastern segment of requested right-of-way. Additionally, a sanitary sewer line runs along the eastern tip of the western parcel within the requested right-of-way. Because existing utilities have been identified within the right-of-way, easements must be reserved for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

2. Traffic/Access: The requested vacation would not negatively impact access to private properties or traffic patterns.

SUMMARY OF DISCUSSION

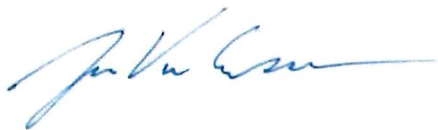
Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION

Todd Garner made a motion for approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense and provision of any necessary no-build easements.

THE VOTE: 13-0

Respectfully submitted,



Jason Van Essen

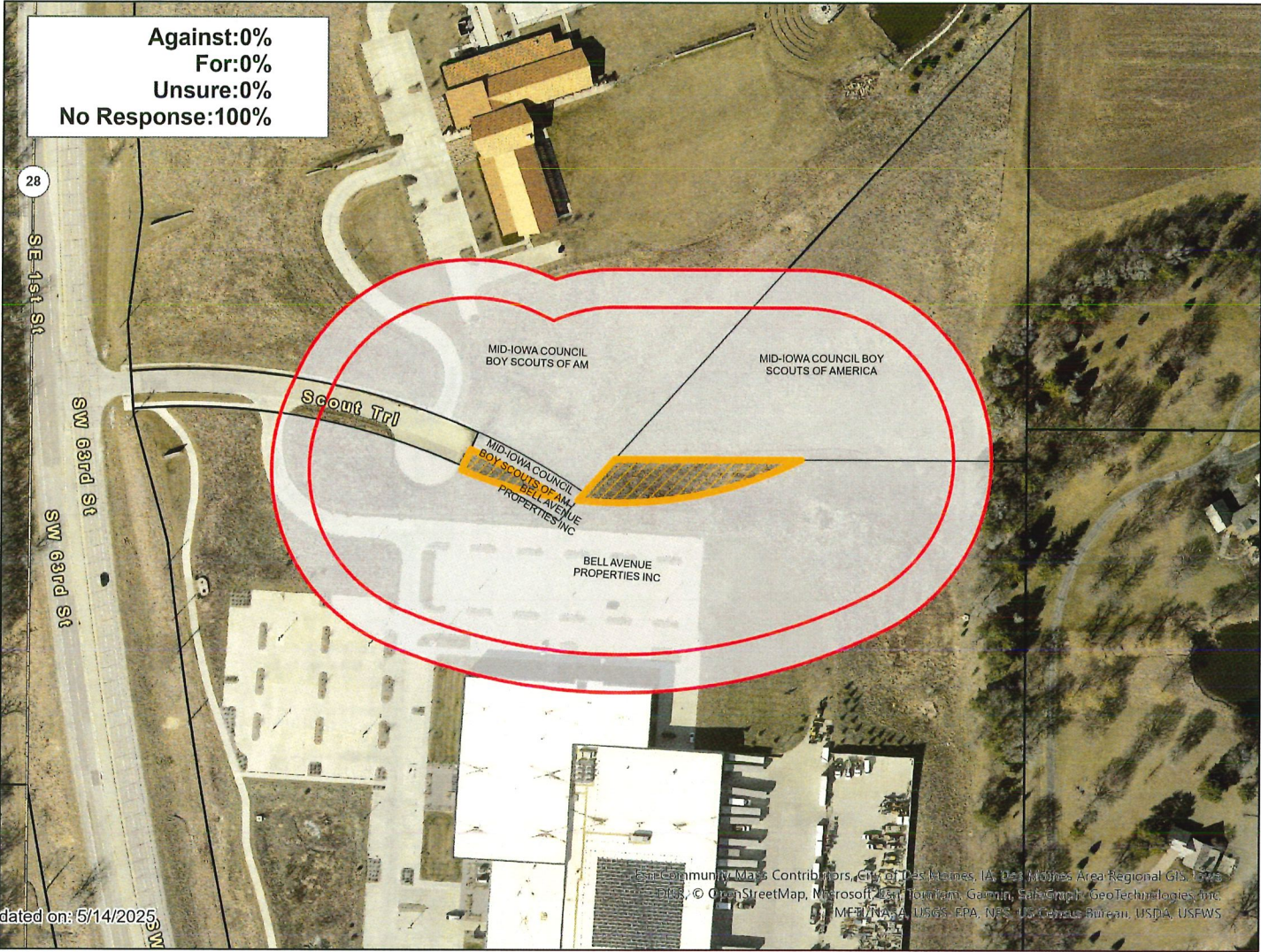
Planning & Urban Design Administrator

JMV:mrw









Consent to Vacation and Sale of Alley or Street Right-of-Way

REGARDING the East/West North/South alley or street right-of-way in the block bounded by the following Streets:

Scout Trail

The undersigned owners hereby consent to the City of Des Moines vacating (closing) the alley or street described above and to the City offering such alley or street for sale to the owner(s) of the adjoining property(s).

The undersigned represent and warrant that they are the owners of property at the address identified below which adjoins such alley or street.

Date: 3-28-2025


(Signature)

Jonathan Kohn
(Printed Name)

(Signature of 2nd Owner)

(Printed Name)

Address of adjoining Property:

6200 Scout Trail

Des Moines, IA 50321
(Zip Code)

Mailing Address-if different:

Legal Description of Adjoining Property (if known):

Lot 1 Airport Industrial Park Plat 3

✓ Check applicable line:

X I/We are interested in purchasing the adjoining portion of the alley or street. This is not a commitment to purchase.

____ I/We are **not** interested in purchasing the adjoining portion of the alley or street and consent to the sale of the entire alley to the owner of the property on the other side of the alley or street.

*****Community Development Department Use Only*****

Case No. 11-20 - 1. ____

Received: _____

Applicant: _____

Consent to Vacation and Sale of Alley or Street Right-of-Way

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The undersigned represent and warrant that they are the owners of property at the address identified below which adjoins such alley or street.

Date: 3.28.2025


(Signature)

Jonathan Kohn
(Printed Name)


(Signature of 2nd Owner)

Steven M. Hill
(Printed Name)

Address of adjoining Property:

6200 Scout Trail

Des Moines, IA 50321
(Zip Code)

Mailing Address-if different:

6123 Scout Trail
Des Moines IA 50321

Legal Description of Adjoining Property (if known):

Lot 1 Airport Industrial Park Plat 3

✓ Check applicable line:

X I/We are interested in purchasing the adjoining portion of the alley or street. This is not a commitment to purchase.

___ I/We are not interested in purchasing the adjoining portion of the alley or street and consent to the sale of the entire alley to the owner of the property on the other side of the alley or street.

*****Community Development Department Use Only *****

Case No. 11-20 - 1.

Received: _____

Applicant: _____

