



Roll Call Number

Agenda Item Number

24

Date August 4, 2025

SET HEARING FOR VACATION OF PORTIONS OF EAST 37TH STREET, EAST 38TH STREET, EAST JEFFERSON AVENUE AND WILLIAMS STREET RIGHT-OF-WAY LOCATED IN THE FOURMILE CREEK FLOODPLAIN AND CONVEYANCE TO POLK COUNTY CONSERVATION BOARD FOR THE LOWER FOURMILE CREEK GREENWAY PROJECT

WHEREAS, on July 15, 2019, by Roll Call No. 19-1121, the City Council of the City of Des Moines, Iowa (“City”) approved the Lower Fourmile Creek Greenway Management and Maintenance Chapter 28E Agreement (“28E Agreement”) between the City of Des Moines and the Polk County Conservation Board (“PCCB”); and

WHEREAS, the 28E Agreement provides for the transfer of certain lands from the City to Polk County to be managed by PCCB in accordance with the Lower Fourmile Creek Greenway Master Plan; and

WHEREAS, on July 14, 2025, by Roll Call No. 25-0972, the City Council of the City of Des Moines, Iowa voted to receive and file a recommendation from the City Plan and Zoning Commission to approve a City initiated request to vacate the following segments of public street in the vicinity of East 37th Street, Mattern Avenue and East Jefferson Avenue (“Property”) to allow for the removal of the roadways and the restoration of the areas for incorporation into the Lower Fourmile Creek Greenway:

- East 37th Street north of Easton Boulevard;
- East 38th Street between East Mattern Avenue and East Jefferson Avenue;
- East Jefferson Avenue east of East 38th Street; and
- Williams Street south of East Jefferson Avenue;

subject to the reservation of easements for existing utilities in place until such time as they are abandoned or relocated at the Polk County Conservation Board’s expense; and

WHEREAS, in accordance with the 28E Agreement and Iowa Code 364.7, the City proposes to vacate and convey the Property to Polk County, Iowa, for the use and benefit of the Polk County Conservation Board at no cost for the public purpose of the Lower Fourmile Creek Greenway Project, subject to the following conditions:

- a) Reservation of a permanent easement upon the Property for the continued use and maintenance of any public utilities now in place, including those for the benefit of the City of Des Moines and other public utilities, with the right of entry for servicing same.
- b) Reservation of a permanent easement upon the Property for existing and/or future recreation trail.



Roll Call Number

Agenda Item Number

24

Date August 4, 2025

- c) The Property will revert back to the City in the event that PCCB ceases to exist or loses its eligibility status as a public entity or qualified conservation organization.
- d) Compliance with the Lower Fourmile Creek Greenway Master Plan.

WHEREAS, there is no known current or future public need for the street right-of-way proposed to be vacated and conveyed, and the City will not be inconvenienced by the vacation and conveyance of said Property.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating East 37th Street north of Easton Boulevard, East 38th Street between East Mattern Avenue and East Jefferson Avenue, East Jefferson Avenue east of East 38th Street, and Williams Street south of East Jefferson Avenue, Des Moines, Iowa, legally described as follows, subject to the reservation of easements for all existing utilities in place until such time that they are abandoned or relocated:

PART OF EAST 37TH STREET BETWEEN LOT 808 AND EASTON BOULEVARD

A PART OF LOT L IN FOUR MILE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 808 IN SAID FOUR MILE, SAID CORNER ALSO BEING ON THE EAST LINE OF SAID LOT L; THENCE SOUTH ALONG SAID EAST LINE TO A LINE PROJECTED SOUTHWESTERLY FROM A LINE DESCRIBED AS GOING FROM A POINT ON THE EAST LINE OF LOT 793 IN SAID FOUR MILE THAT IS 19.11 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 793 TO A POINT ON THE WEST LINE OF SAID LOT 793 THAT IS 24.08 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 793, SAID WEST LINE OF SAID LOT 793 ALSO BEING THE EAST LINE OF SAID LOT L; THENCE SOUTHWESTERLY ALONG SAID PROJECTED LINE TO THE WEST LINE OF SAID LOT L; THENCE NORTH ALONG SAID WEST LINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 808; THENCE EAST ALONG SAID WESTERLY EXTENSION TO THE SOUTHWEST CORNER OF SAID LOT 808 AND TO THE POINT OF BEGINNING. SAID AREA CONTAINING APPROXIMATELY 33,112 SQUARE FEET.

AND



Date August 4, 2025

PART OF EAST 37TH STREET BETWEEN LOTS 808 AND 813, FOUR MILE

A PART OF LOT L IN FOUR MILE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 813 IN SAID FOUR MILE, SAID CORNER ALSO BEING ON THE EAST LINE OF SAID LOT L; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF LOT 808 IN SAID FOUR MILE; THENCE WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 808 TO THE WEST LINE OF SAID LOT L; THENCE NORTH ALONG SAID WEST LINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 813; THENCE EAST ALONG THE WESTERLY EXTENSION OF SAID LOT 813 TO THE SOUTHWEST CORNER OF SAID LOT 813 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 10,000 SQUARE FEET.

AND

PART OF EAST 38TH STREET AND PART OF EAST JEFFERSON AVENUE

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., AND A PART OF LOTS N AND P IN ELMWOOD PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 423 IN SAID ELMWOOD PARK; THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 423 TO THE SOUTH LINE OF SAID LOT N; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT N AND ALONG THE SOUTH LINE OF SAID LOT P TO THE WEST LINE OF SAID LOT P; THENCE CONTINUING EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT P, A DISTANCE OF 25 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID LOT P TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 402 IN SAID ELMWOOD PARK; THENCE EAST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 402 TO THE WEST LINE OF SAID LOT 402; THENCE SOUTH ALONG THE WEST LINE OF LOTS 402 AND 403 IN SAID ELMWOOD PARK TO THE NORTH LINE OF SAID LOT N; THENCE EAST ALONG THE NORTH LINE OF SAID LOT N TO THE SOUTHEAST CORNER OF SAID LOT 423 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 32,435 SQUARE FEET.

AND



Date August 4, 2025

PART OF WILLIAMS STREET

ALL THAT PART OF LOT M, AND LOTS 98 THROUGH 100 IN ELMWOOD PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 126 IN SAID ELMWOOD PARK, SAID CORNER BEING ON THE WEST LINE OF SAID LOT M; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHEAST CORNER OF LOT 117 IN SAID ELMWOOD PARK; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 117 TO THE EAST LINE OF SAID LOT M; THENCE SOUTH ALONG SAID EAST LINE TO THE NORTHWEST CORNER OF SAID LOT 100; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 100, A DISTANCE OF 53.4 FEET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF SAID LOT 98; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHEAST CORNER OF SAID LOT 126 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 8,073 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to convey the vacated street right-of-way, as legally described below, to Polk County, Iowa for the use and benefit of the Polk County Conservation Board at no cost in accordance with Iowa Code 364.7(3) for the public purpose of the Fourmile Creek Greenway Project, subject to the following conditions:

- a) Reservation of a permanent easement upon the Property for the continued use and maintenance of any public utilities now in place, including those for the benefit of the City of Des Moines and other public utilities, with the right of entry for servicing same.
- b) Reservation of a permanent easement upon the Property for existing and/or future recreation trail.
- c) The Property will revert back to the City in the event that PCCB ceases to exist or loses its eligibility status as a public entity or qualified conservation organization.
- d) Compliance with the Lower Fourmile Creek Greenway Master Plan.

VACATED EAST 37TH STREET BETWEEN LOT 808 AND EASTON BOULEVARD

A PART OF LOT L IN FOUR MILE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 808 IN SAID FOUR MILE, SAID CORNER ALSO BEING ON THE EAST LINE OF SAID LOT L; THENCE SOUTH ALONG SAID EAST LINE TO A LINE PROJECTED SOUTHWESTERLY



Date August 4, 2025

FROM A LINE DESCRIBED AS GOING FROM A POINT ON THE EAST LINE OF LOT 793 IN SAID FOUR MILE THAT IS 19.11 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 793 TO A POINT ON THE WEST LINE OF SAID LOT 793 THAT IS 24.08 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 793, SAID WEST LINE OF SAID LOT 793 ALSO BEING THE EAST LINE OF SAID LOT L; THENCE SOUTHWESTERLY ALONG SAID PROJECTED LINE TO THE WEST LINE OF SAID LOT L; THENCE NORTH ALONG SAID WEST LINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 808; THENCE EAST ALONG SAID WESTERLY EXTENSION TO THE SOUTHWEST CORNER OF SAID LOT 808 AND TO THE POINT OF BEGINNING. SAID AREA CONTAINING APPROXIMATELY 33,112 SQUARE FEET.

AND

VACATED EAST 37TH STREET BETWEEN LOTS 808 AND 813, FOUR MILE

A PART OF LOT L IN FOUR MILE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 813 IN SAID FOUR MILE, SAID CORNER ALSO BEING ON THE EAST LINE OF SAID LOT L; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF LOT 808 IN SAID FOUR MILE; THENCE WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 808 TO THE WEST LINE OF SAID LOT L; THENCE NORTH ALONG SAID WEST LINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 813; THENCE EAST ALONG THE WESTERLY EXTENSION OF SAID LOT 813 TO THE SOUTHWEST CORNER OF SAID LOT 813 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 10,000 SQUARE FEET.

AND

VACATED EAST 38TH STREET AND VACATED EAST JEFFERSON AVENUE

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., AND A PART OF LOTS N AND P IN ELMWOOD PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 423 IN SAID ELMWOOD PARK; THENCE SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 423 TO THE SOUTH LINE OF SAID LOT N; THENCE WEST



Date August 4, 2025

ALONG THE SOUTH LINE OF SAID LOT N AND ALONG THE SOUTH LINE OF SAID LOT P TO THE WEST LINE OF SAID LOT P; THENCE CONTINUING EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT P, A DISTANCE OF 25 FEET; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID LOT P TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 402 IN SAID ELMWOOD PARK; THENCE EAST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 402 TO THE WEST LINE OF SAID LOT 402; THENCE SOUTH ALONG THE WEST LINE OF LOTS 402 AND 403 IN SAID ELMWOOD PARK TO THE NORTH LINE OF SAID LOT N; THENCE EAST ALONG THE NORTH LINE OF SAID LOT N TO THE SOUTHEAST CORNER OF SAID LOT 423 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 32,435 SQUARE FEET.

AND

VACATED WILLIAMS STREET

ALL THAT PART OF LOT M, AND LOTS 98 THROUGH 100 IN ELMWOOD PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 126 IN SAID ELMWOOD PARK, SAID CORNER BEING ON THE WEST LINE OF SAID LOT M; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHEAST CORNER OF LOT 117 IN SAID ELMWOOD PARK; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 117 TO THE EAST LINE OF SAID LOT M; THENCE SOUTH ALONG SAID EAST LINE TO THE NORTHWEST CORNER OF SAID LOT 100; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 100, A DISTANCE OF 53.4 FEET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF SAID LOT 98; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHEAST CORNER OF SAID LOT 126 AND TO THE POINT OF BEGINNING, SAID AREA CONTAINING APPROXIMATELY 8,073 SQUARE FEET.

3. That the meeting of the City Council at which the adoption of said ordinance and the proposed conveyance is to be considered shall be on August 18, 2025, 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.



Roll Call Number

Agenda Item Number

24

Date August 4, 2025

4. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
5. There will be no proceeds associated with the conveyance of this property.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

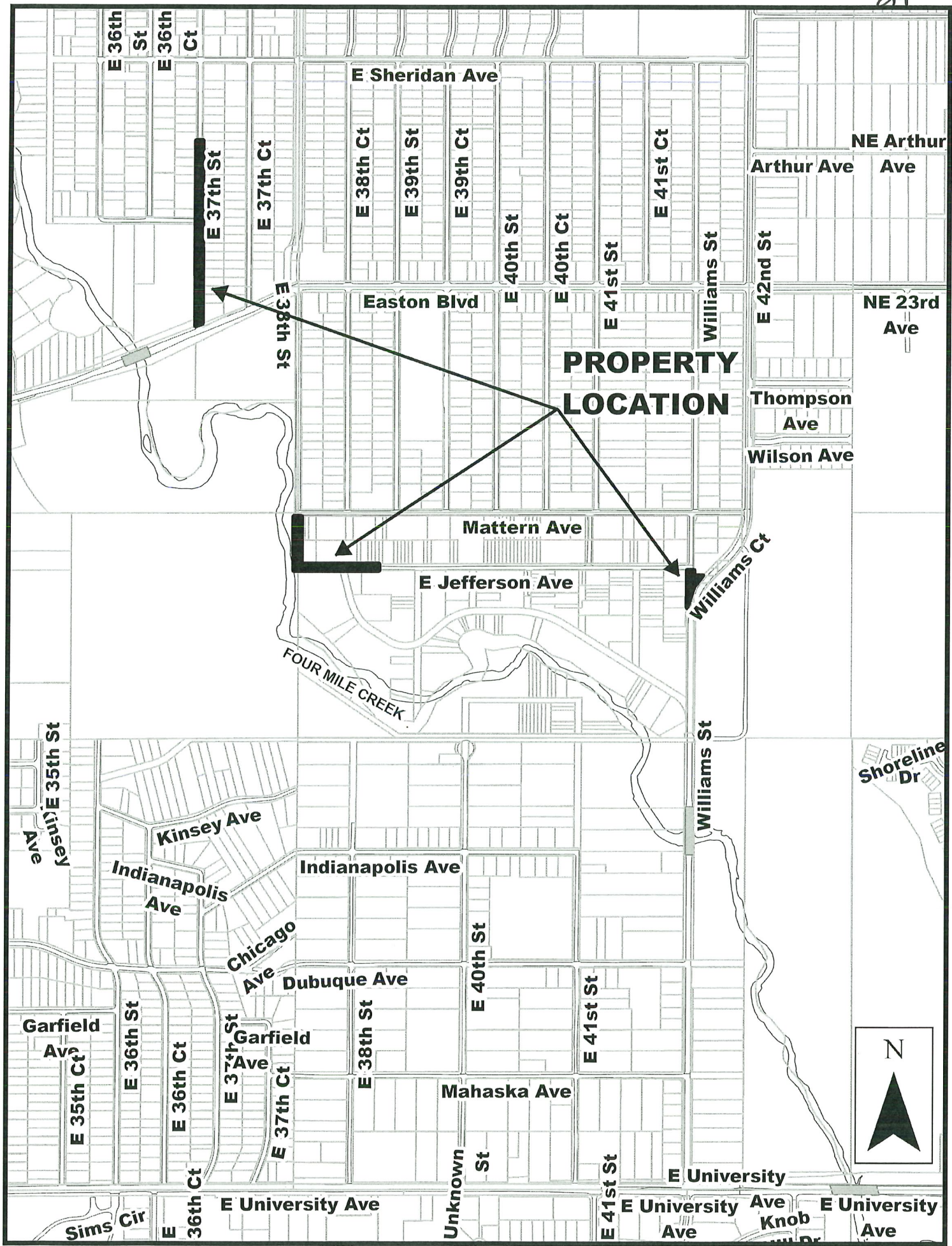
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	
				Mayor

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.

City Clerk



Date August 4, 2025

Agenda Item 24

Roll Call # _____

June 30, 2025

Communication from the City Plan and Zoning Commission advising that at their June 26, 2025 meeting, the following action was taken on a City initiated request for vacation of the following segments of right-of-way, in the vicinity of East 37th Street, Mattern Avenue, and East Jefferson Avenue, for purposes of a project to remove the roadways and restore the area for incorporation into the Lower Fourmile Creek Greenway.

- A. East 37th Street north of Easton Boulevard.
- B. East 38th Street between East Mattern Avenue and East Jefferson Avenue.
- C. East Jefferson Avenue, east of East 38th Street.
- D. Williams Street south of East Jefferson Avenue.

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 vacations, subject to the reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested right-of-way vacations, subject to the reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacations would accommodate expansion of the Lower Fourmile Creek Greenway, which would reduce flooding impacts on surrounding residential neighborhoods.
2. **Size of Site:** The requested segments of right-of-way comprise approximately 1.91 acres (83,620 square feet).
3. **Existing Zoning (site):** "F" Flood District.
4. **Existing Land Use (site):** The impacted area consists of public street rights-of-way.
5. **Adjacent Land Use and Zoning:**
 - North** – "F"; Uses are floodplain and Lower Fourmile Creek Greenway.
 - South** – "F"; Uses are floodplain and Lower Fourmile Creek Greenway.
 - East** – "F"; Uses are floodplain and Lower Fourmile Creek Greenway.
 - West** – "F", Uses are floodplain and Lower Fourmile Creek Greenway.
6. **General Neighborhood/Area Land Uses:** The subject area consists of four (4) separate segments of street right-of-way. The first segment includes East 37th Street, north Easton Boulevard and vacated Arthur Avenue right-of-way. The second segment includes East 38th Street between Mattern Avenue and East Jefferson Avenue. The third segment includes a portion of East Jefferson Avenue to the east of East 38th Street. The final segment includes the remaining portion of Williams Street to the south of East Jefferson Avenue. The surrounding area consists of a mix of open space/parks and some scattered residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject properties are located within the Grays Woods Neighborhood Association and the Sheridan Gardens Neighborhood Association. All recognized neighborhood associations were notified of the meeting by emailing of the Preliminary Agenda on June 6, 2025, and by emailing of the Final Agenda on June 20, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on June 16, 2025 (10 days prior) to the applicable neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property adjoining the requested public Right-of-Way.

- 8. Relevant Zoning History:** Over the past few years, multiple segments of street right-of-way in the surrounding neighborhood have been vacated for incorporation into the Lower Four Mile Greenway.

On March 22, 2021, by Roll Call No. 21-0503, the City Council approved a request, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, to vacate the following segments of rights-of-way:

- A. East Sheridan Avenue from East 35th Street to East 36th Street.
- B. East 35th Street from Hull Avenue to Arthur Avenue.
- C. East 39th Street from East Jefferson Avenue to Four Mile Drive.
- D. Osceola Avenue from East 40th Street to East 41st Street.
- E. East 40th Street from Osceola Avenue to East Washington Avenue Right-of-Way developed with the Gay Lea Wilson Trail.
- F. East 41st Street from Osceola Avenue to Indianapolis Avenue.

On April 4, 2022, by Roll Call No. 22-0551, the City Council approved a request, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, to vacate rights-of-way including:

- A. East 41st Street from Mattern Avenue to East Jefferson Avenue.
- B. East 41st Court from East Jefferson Avenue to Four Mile Drive.
- C. The South approximately 70 feet of East 40th Court north of Four Mile Drive.
- D. Four Mile Drive from East Jefferson Avenue to Williams Court.
- E. East 40th Street from East Jefferson Avenue to Four Mile Drive
- F. Hull Avenue connecting East 35th Street to East 35th Street.
- G. North approximately 200 feet of East 40th Street south of Washington Avenue.
- H. Easterly half of Colfax Avenue from East Aurora Avenue to East Shawnee Avenue.

On September 16, 2024, by Roll Call No. 24-1235, the City Council approved a request, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, to vacate rights-of-way including:

- A. East 36th Street from East Sheridan Avenue to Arthur Avenue.
- B. East 36th Court from East Sheridan Avenue to Arthur Avenue.
- C. Arthur Avenue to the west of East 37th Street.
- D. East 40th Court to the south of East Jefferson Avenue.
- E. Lot Q between the vacated Four Mile Drive and the south line of Lot Q.

- 9. PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Parks and Open Space with Development Control Zone overlay.

- 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:** Identified utilities located in or near the impacted area include water valves, water hydrants, distribution water mains, sanitary sewer conduit, sanitary sewer manholes, and non-City-owned streetlights. 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 vacations would not negatively impact access to private properties or traffic patterns.

SUMMARY OF DISCUSSION

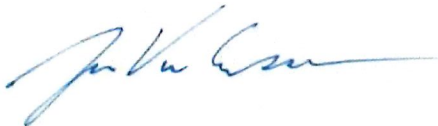
Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION

Carolyn Jennison made a motion for approval of the requested right-of-way vacations, subject to the reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

THE VOTE: 13-0

Respectfully submitted,



Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw



Updated on: 6/3/2025

This community map is provided by the City of Des Moines, IA, Iowa DNR, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoInformation Systems, Inc, HERE/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

EXHIBIT A
SHT 1 of 4

Williams St

E Jefferson Ave

NORTH LINE
OF LOT 117

LOT 117

NE CORNER
OF LOT 117

EAST LINE
OF LOT M

NW CORNER
OF LOT 100 -- NORTH LINE
OF LOT 100

53.4'

LOT 100

LOT 99

LOT 98

Williams Ct

ELMWOOD PARK

WEST LINE
OF LOT M

Williams St

SW CORNER
OF LOT 98

POB
SE CORNER
OF LOT 126

LOT 126



 **AREA TO BE VACATED**

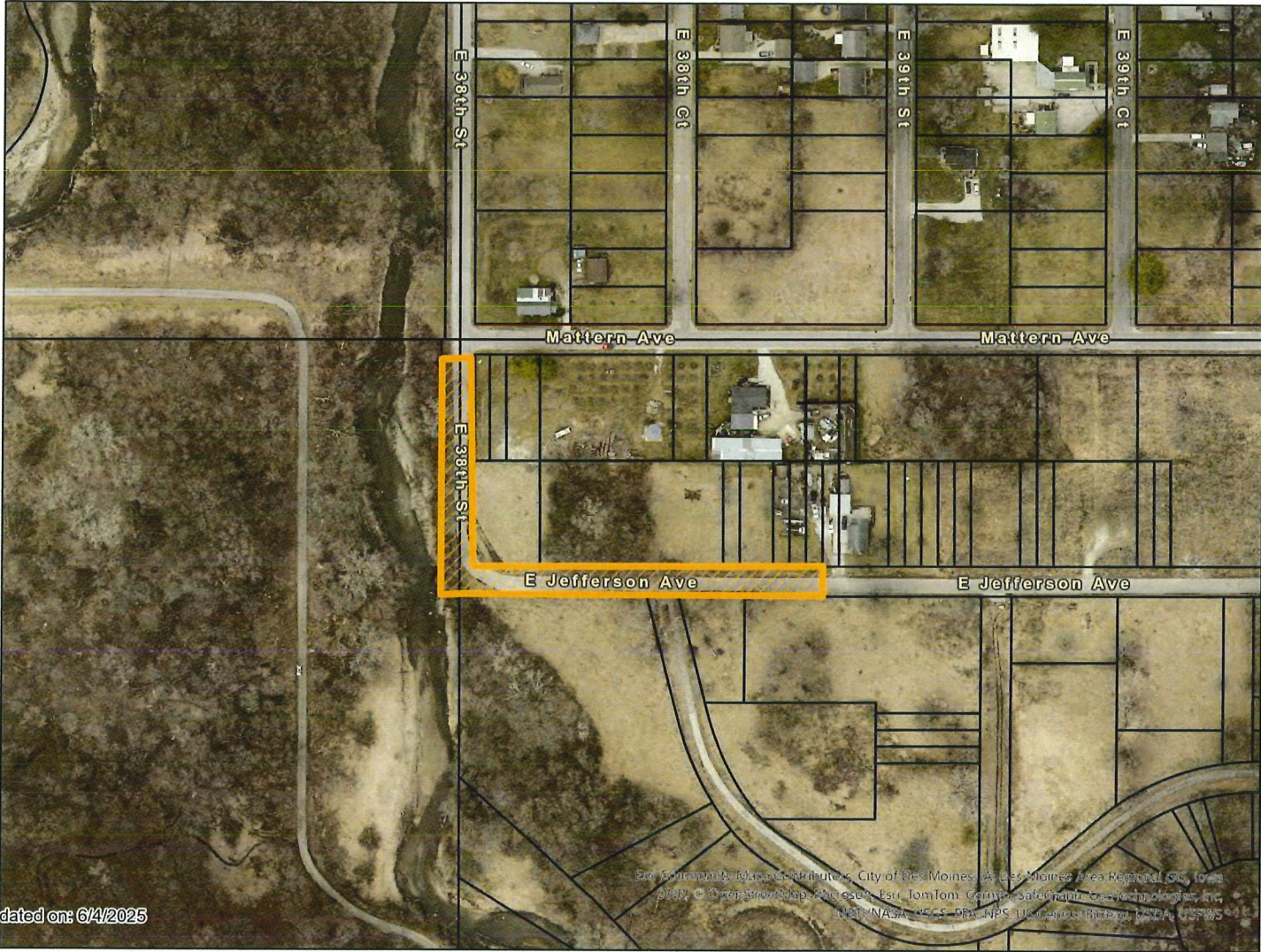


EXHIBIT A
SHT 2 of 4

E 38th Ct

E 39th St

E 38th St

NORTH LINE
OF LOT 402

Mattern Ave

NORTH LINE OF
SE 1/4 NE 1/4
SEC 32-79-23

WEST LINE
OF LOT P

**SE 1/4 NE 1/4
SEC 32-79-23**

SOUTH LINE
OF LOT P

LOT 402

WEST LINE
OF LOT 402

LOT 403

EAST LINE
OF LOT P

NORTH LINE
OF LOT N

EAST LINE
OF LOT 423

POB
SE CORNER
OF LOT 423

LOT 423

LOT N

E Jefferson Ave

ELMWOOD PARK

25'

EAST LINE OF
SE 1/4 NE 1/4
SEC 32-79-23

SOUTH LINE
OF LOT N

N

 **AREA TO BE VACATED**



Updated on: 6/4/2025

EXHIBIT A

SHT 3 of 4

LOT 808

SOUTH LINE
OF LOT 808

SW CORNER
OF LOT 808
POB

LOT L

Vacated Arthur Ave

FOUR MILE

EAST LINE
OF LOT L

E 37th Ct

E 37th St

WEST LINE
OF LOT L

LOT L

WEST LINE
OF LOT 793

EAST LINE
OF LOT 793

19.11'

LOT 793

24.08'

Easton Blvd

SW CORNER OF LOT 793

SE CORNER OF LOT 793

AREA TO BE VACATED

N



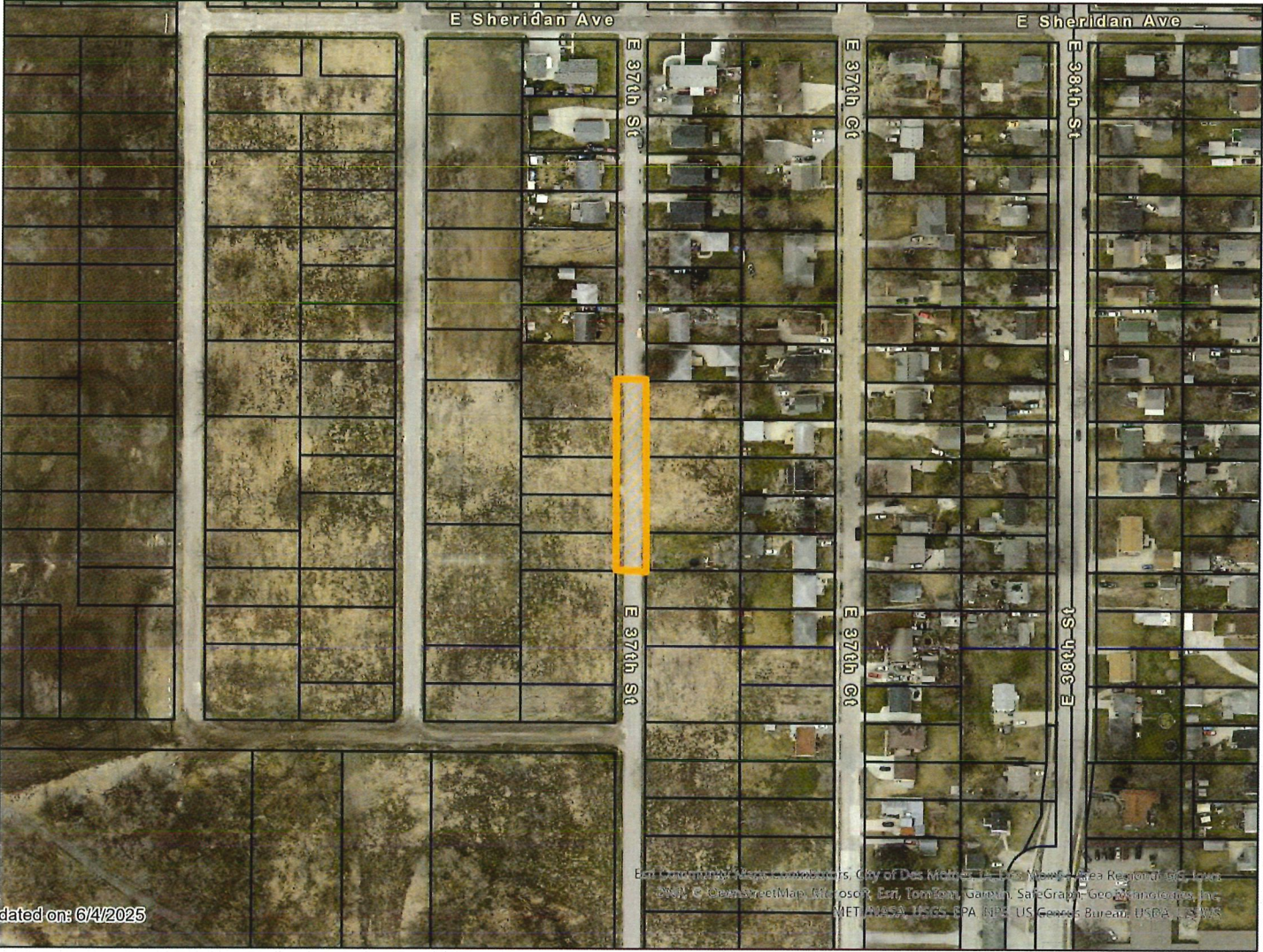


EXHIBIT A

SHT 4 of 4

SOUTH LINE
OF LOT 813

LOT 813

SW CORNER
OF LOT 813
POB

EAST LINE
OF LOT L

WEST LINE
OF LOT L

LOT L

E 37th St

FOUR MILE

LOT 808

SOUTH LINE
OF LOT 808

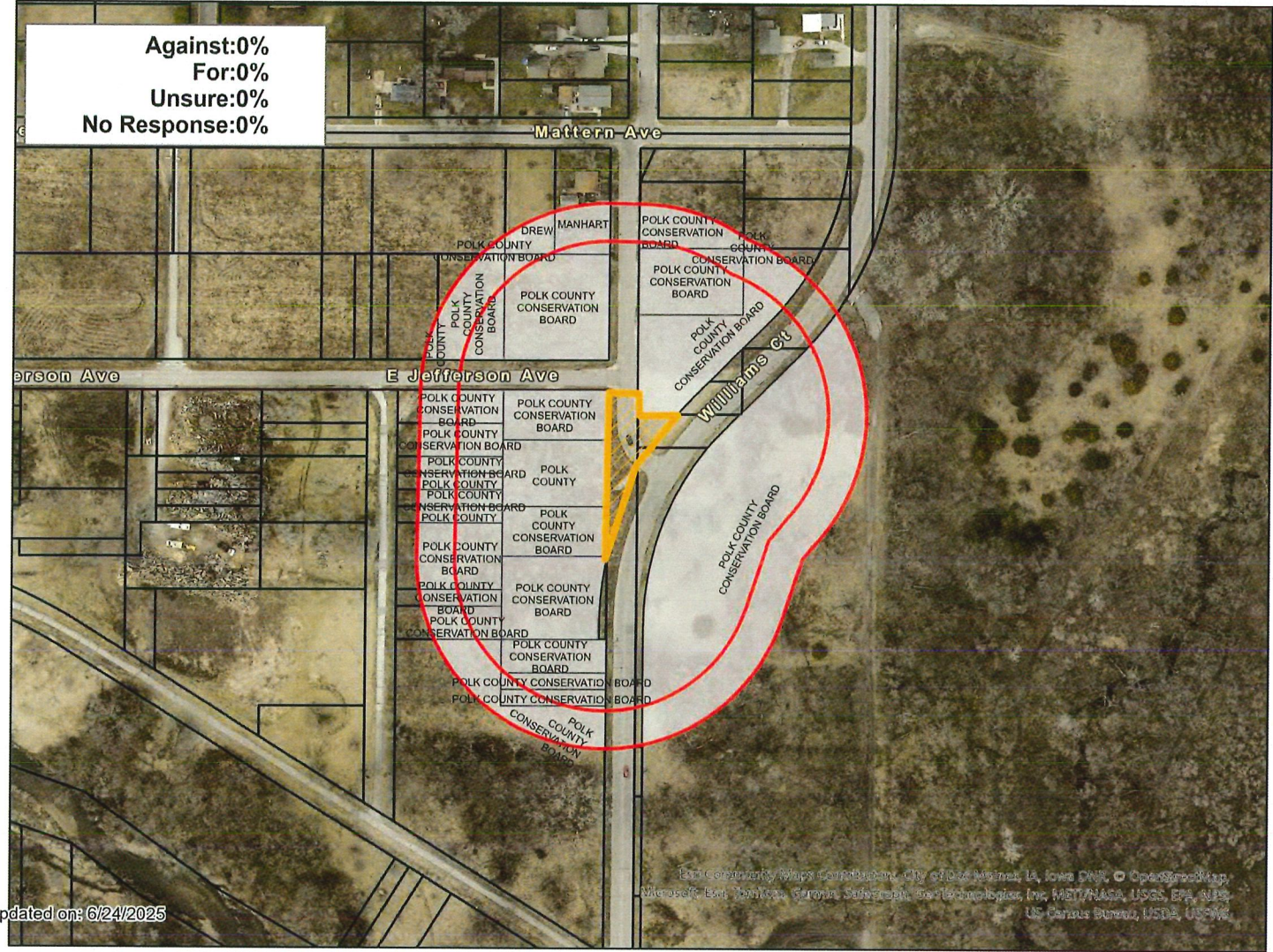
SW CORNER
OF LOT 808

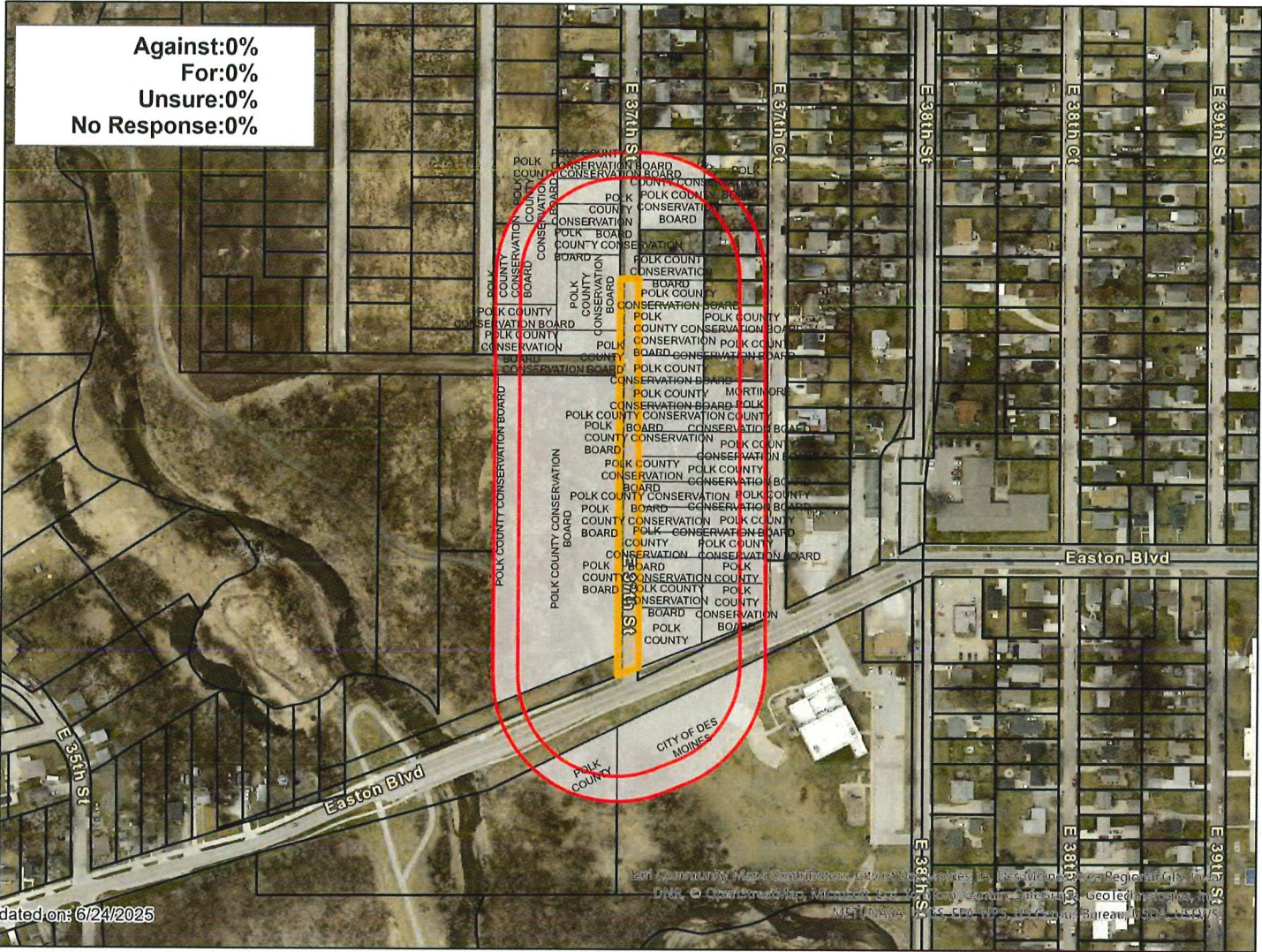
LOT L

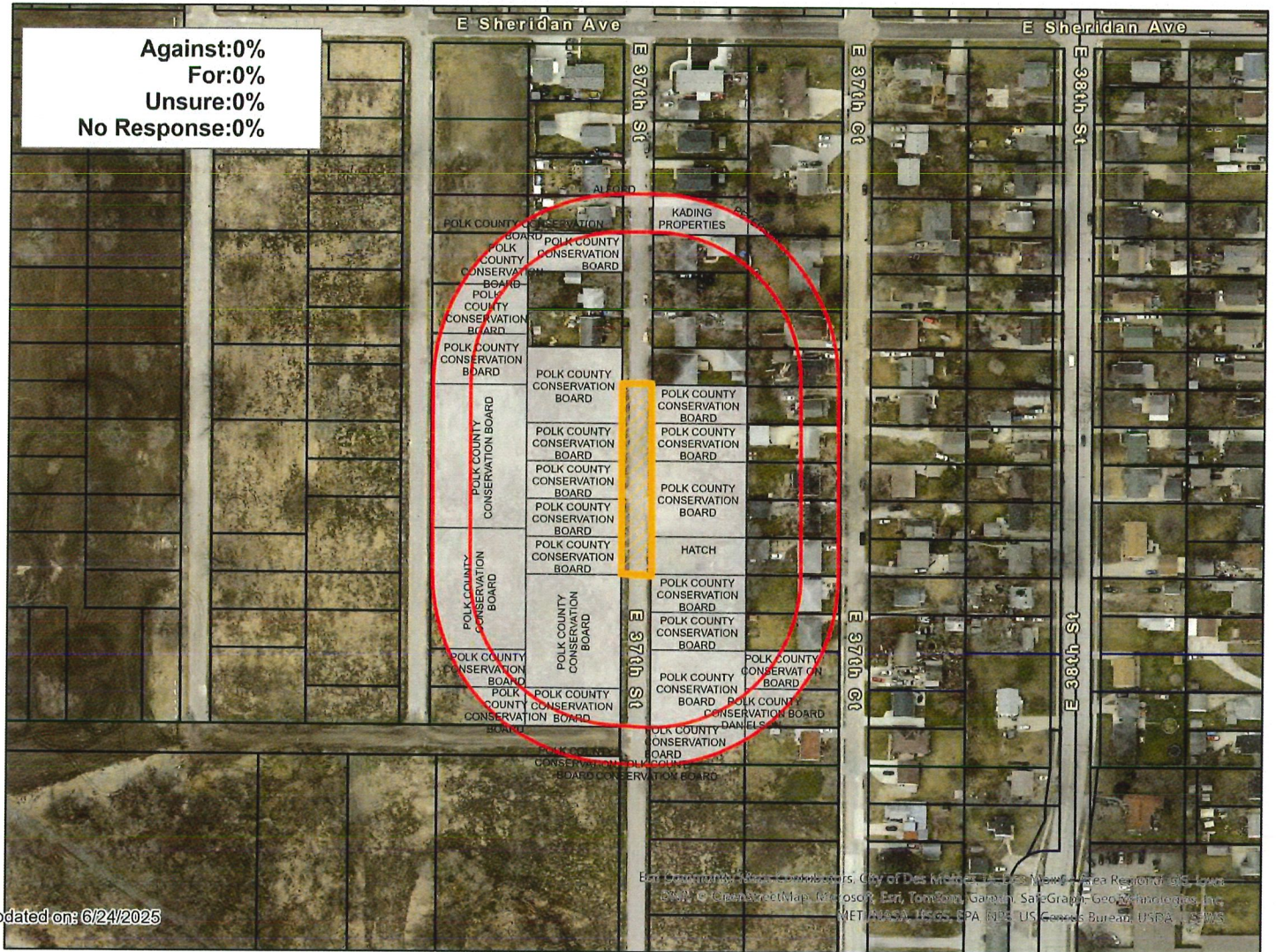
Vacated Arthur Ave

N

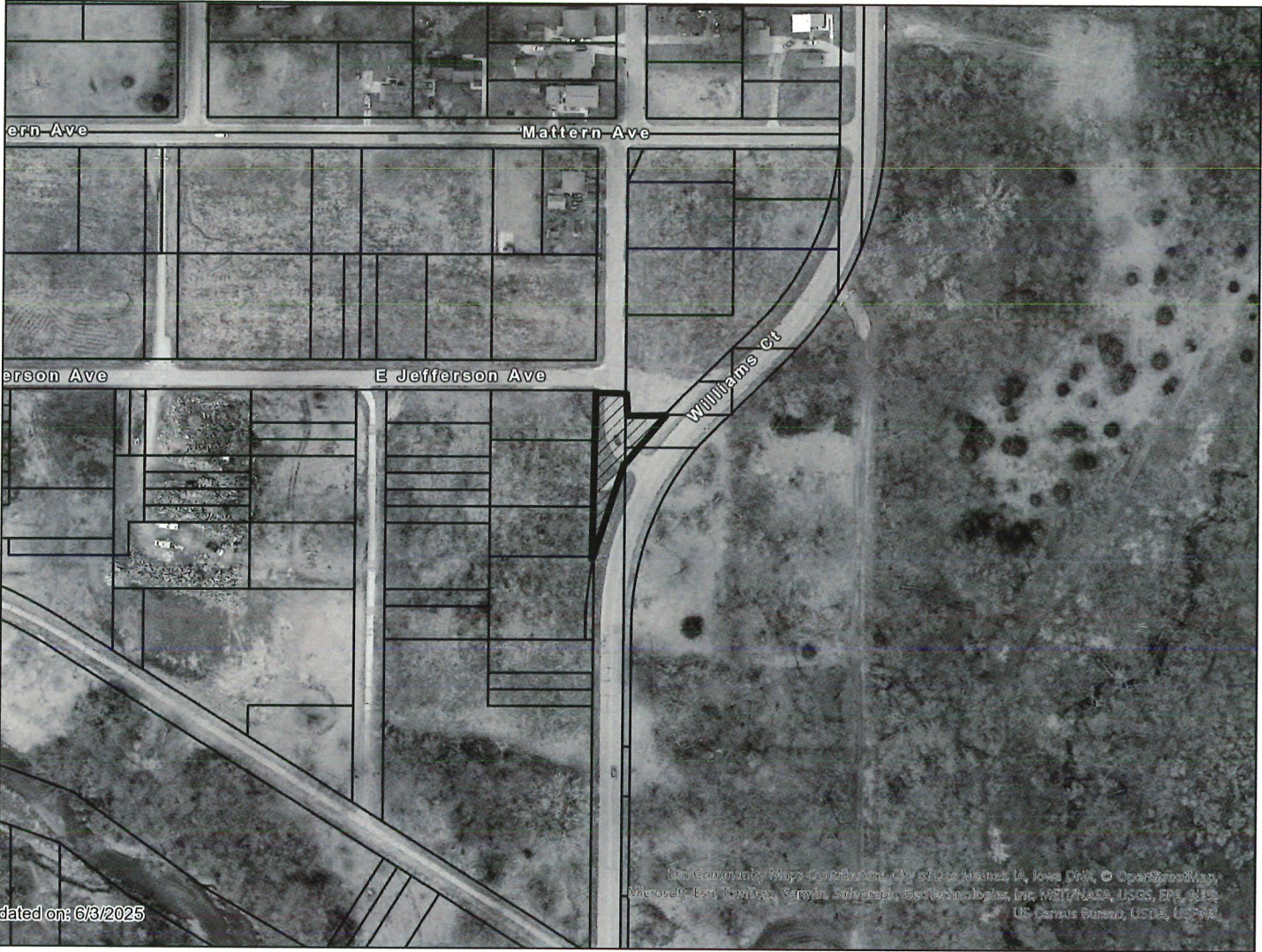
 AREA TO BE VACATED



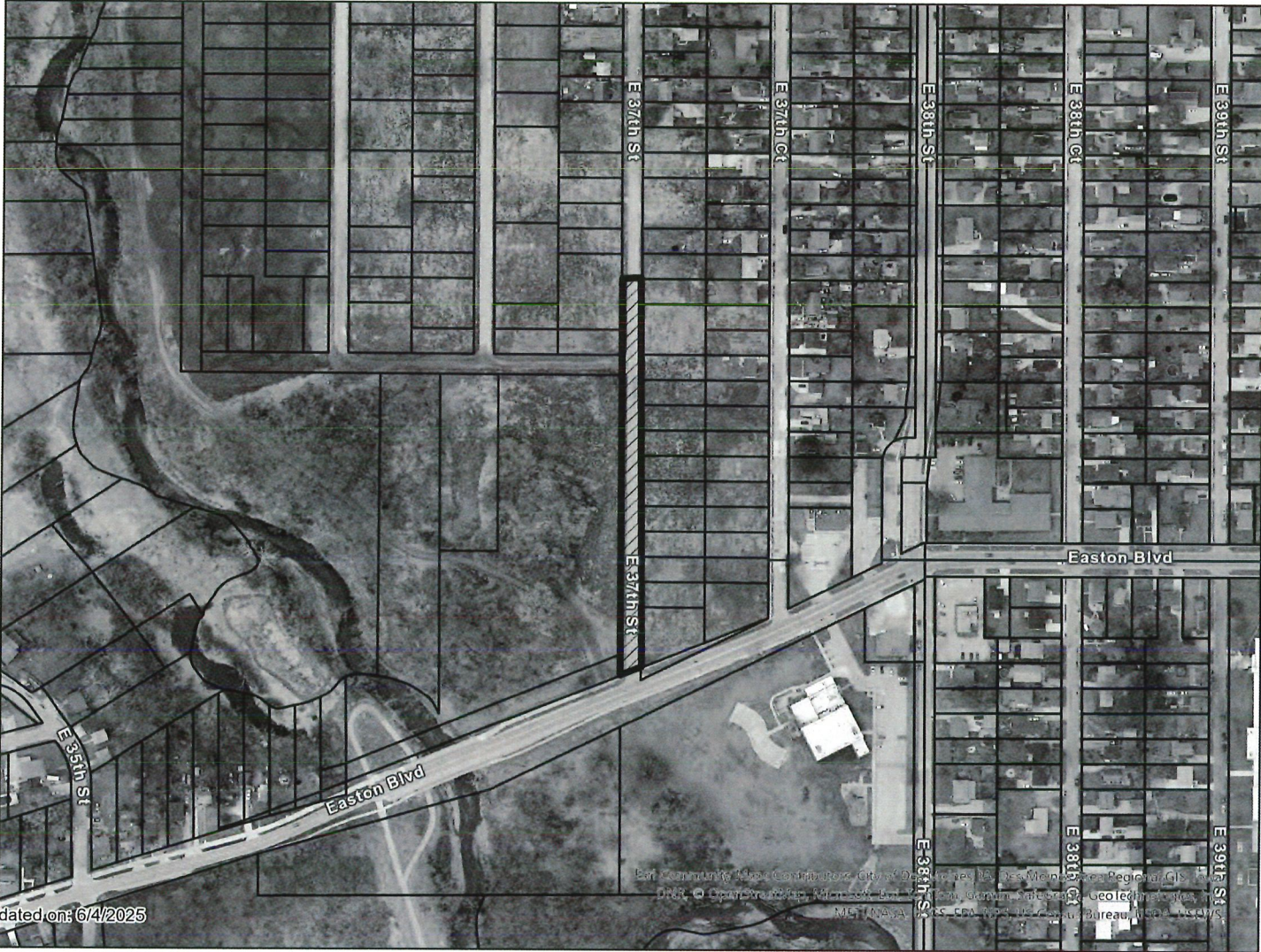




Updated on: 6/24/2025



Updated on: 6/3/2025





Updated on: 6/4/2025