

Date September 8, 2025

**SET HEARING FOR VACATION OF MULTIPLE SEGMENTS OF STREET AND ALLEY
RIGHT-OF WAY IN THE VICINITY OF EAST 19TH STREET AND HUBBELL AVENUE
TO ALLOW THEM TO BE ASSEMBLED INTO ASHFIELD PARK**

WHEREAS, on August 18, 2025, by Roll Call No. 25-1117, the City Council of the City of Des Moines, Iowa voted to receive and file a communication from the City Plan and Zoning Commission to vacate undeveloped right-of-way along the north, east and south perimeters of Ashfield Park, the segment of East 19th Street located between Hubbell Avenue and Maple Street, and an alley extending southeast from said street segment to Hubbell Avenue (hereinafter "Property") to allow for incorporation into Ashfield Park; and

WHEREAS, as part of the City Plan and Zoning Commission review and recommendation to vacate the subject right-of-way, the City's Police Department, Fire Department, and Engineering Department – Traffic & Transportation Division reviewed and determined that there was no need to retain the use of East 19th Street for emergency vehicle access when Hubbell Avenue is blocked by trains; and

WHEREAS, there is no known current or future public need for the Property proposed to be vacated, and the City will not be inconvenienced by the vacation of said right-of-way, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to an easement to provide access to the driveway for the property located at 1901 Burson Street, Des Moines, Iowa; and

WHEREAS, the vacated street and alley right-of-way will be dedicated as parkland, with dedication effective upon recording of the Ordinance with the Polk County Recorder.

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 multiple segments of street and alley right-of-way in the vicinity of East 19th Street and Hubbell Avenue, legally described as follows:

A PART OF EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 2 THROUGH 13 OF BLOCK 3 IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, 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 NORTHEAST CORNER OF LOT 14 IN SAID BLOCK 3; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 14 AND ALONG THE NORTH LINE OF LOT 3 IN THE OFFICIAL PLAT OF THE NE 1/4 OF SEC 2-T78-

Date September 8, 2025

R24 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 20.0 FEET OF SAID LOT 2; THENCE NORTH ALONG SAID SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID LOT 2; THENCE EAST ALONG THE SOUTH LINE OF SAID LOTS 2 THROUGH 13 TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE SOUTHERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID LOT 14 AND TO THE POINT OF BEGINNING,

AND

A PART OF EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 21 THROUGH 26 IN GOODE & LIKES' ADDITION TO DES MOINES, AN OFFICIAL PLAT, AND LYING NORTH OF AND ADJOINING LOTS 6 THROUGH 8 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, 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 NORTHEAST CORNER OF SAID LOT 8; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 8, LOT 7 AND LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 21; THENCE CONTINUING WEST ALONG THE NORTH LINE OF SAID LOT 21 THROUGH SAID LOT 26 TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE WEST 60.0 FEET OF LOT 3 IN THE OFFICIAL PLAT OF THE NE 1/4 OF SEC 2-T78-R24; THENCE NORTH ALONG SAID SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID LOT 3; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 3 TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTHERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

AND

A PART OF ALLEY RIGHT OF WAY LYING BETWEEN LOTS 8 AND 9 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, 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 SOUTHWESTERLY CORNER OF SAID LOT 9; THENCE SOUTHEAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 9 TO THE SOUTHERLY CORNER OF SAID LOT 9; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHEASTERLY CORNER OF SAID LOT 8; THENCE NORTHWEST ALONG THE NORTHEASTERLY LINE OF SAID LOT 8 TO THE NORTHEASTERLY CORNER OF SAID LOT 8; THENCE NORTH ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

Date September 8, 2025

AND

A PART OF LYON STREET RIGHT OF WAY (PLATTED AS WILSON STREET) IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, 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 NORTHEAST CORNER OF LOT 9 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 9 TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF LOT 14 IN BLOCK 3 OF SAID SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 14 TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE SOUTH ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

AND

A PART OF LOT 1 IN THE OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24, SAID OFFICIAL PLAT BEING RECORDED IN BOOK F PAGE 29 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PART OF LOT 1 ALSO BEING A PART OF EAST 19TH STREET RIGHT OF WAY, 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 6 IN SAID OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 6 TO A LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF LOT 10 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, AND THE SOUTHEAST CORNER OF

Date September 8, 2025

LOT 9 IN SAID HUBBELL AVENUE ADDITION; THENCE SOUTHWEST ALONG SAID LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF SAID LOT 10 AND THE SOUTHEAST CORNER OF SAID LOT 9 TO THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH ALONG SAID WESTERLY LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 6 TO THE POINT OF BEGINNING,

AND CONTAINING APPROXIMATELY 37,485 SQUARE FEET.

AND

A PART OF LYON STREET RIGHT OF WAY IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, AND A PART OF THE ALLEY RIGHT OF WAY LYING SOUTHWEST OF AND ADJOINING LOTS 14, 16 THROUGH 20 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, AND A PART OF LOT 1 IN THE OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24, SAID OFFICIAL PLAT BEING RECORDED IN BOOK F PAGE 29 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PART OF LOT 1 ALSO BEING A PART OF EAST 19TH STREET RIGHT OF WAY, 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 6 IN SAID OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 6 TO A LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF LOT 10 IN SAID HUBBELL AVENUE ADDITION, AND THE SOUTHEAST CORNER OF LOT 9 IN SAID HUBBELL AVENUE ADDITION; THENCE NORTHEAST ALONG SAID LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF SAID LOT 10 AND THE SOUTHEAST CORNER OF SAID LOT 9 TO THE SOUTHEAST CORNER OF SAID

Date September 8, 2025

LOT 10; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 10 TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH ALONG THE WEST LINE OF LOTS 10, 11 AND 22 IN SAID HUBBELL AVENUE ADDITION TO THE NORTH CORNER OF SAID LOT 22; THENCE SOUTHEAST ALONG THE NORTHEAST LINE OF LOT 22 AND LOT 13 TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTHEAST ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF SAID LOT 14; THENCE NORTHWEST ALONG THE SOUTHWEST LINE OF SAID LOTS 14, 16 THROUGH 20 TO THE WEST CORNER OF SAID LOT 20; THENCE NORTH ALONG THE WEST LINE OF LOTS 20 AND 21 IN SAID HUBBELL AVENUE ADDITION TO THE NORTH CORNER OF SAID LOT 21; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING,

AND CONTAINING APPROXIMATELY 31,602 SQUARE FEET

3. That the meeting of the City Council at which the proposed vacation of such right-of-way and adoption of said ordinance are to be considered shall be on September 29, 2025, said meeting 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.
4. 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.



Roll Call Number

Agenda Item Number

29

Page 6

Date September 8, 2025

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	

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.

Mayor

Laura Baumgartner, City Clerk



**PROPERTY
LOCATION**



