



Date September 29, 2025

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**SET HEARING FOR VACATION OF CB & Q STREET RIGHT-OF WAY BETWEEN
SE 25TH COURT AND SE 30TH STREET AND CONVEYANCE TO THE
DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY
FOR THE WRA TREATMENT FACILITY PLAN IMPROVEMENTS PROJECT**

WHEREAS, On September 8, 2025, by Roll Call No. 25-1205, 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 approximately 4.3 acres of the CB & Q Street right-of-way between SE 25th Court and SE 30th Street in the vicinity of 2901 CB & Q Street, to allow the vacated areas to be assembled for expansion of the wastewater reclamation authority facility (hereinafter "Property"), subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City; and

WHEREAS, the Des Moines Metropolitan Wastewater Reclamation Authority (hereinafter "WRA"), owner of 2901 CB & Q Street, Des Moines, Iowa, has requested the City convey the Property in accordance with Iowa Code §364.7(3) to allow for assemblage with their adjoining property, 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 ingress/egress easement to allow the City to maintain and operate a City-owned pump station, and further subject to an easement for railroad purposes over a portion of the property until such time that the railroad operation ceases and no longer exists or the railroad tracks are removed; and

WHEREAS, there is no known current or future public need for the Property 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 CB & Q Street right-of-way between SE 25th Court and SE 30th Street, legally described as follows:

ALL OF THE CB & Q STREET RIGHT OF WAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 25TH COURT AND THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 30TH STREET, AND ALSO LYING NORTHEAST OF THE NORTHEAST RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, SAID CB & Q STREET RIGHT OF WAY LIES WITH IN A PART OF CHESTERFIELD, AN OFFICIAL PLAT, AND IN A PART OF LARISON PLACE, AN OFFICIAL PLAT, AND IN A



Date September 29, 2025

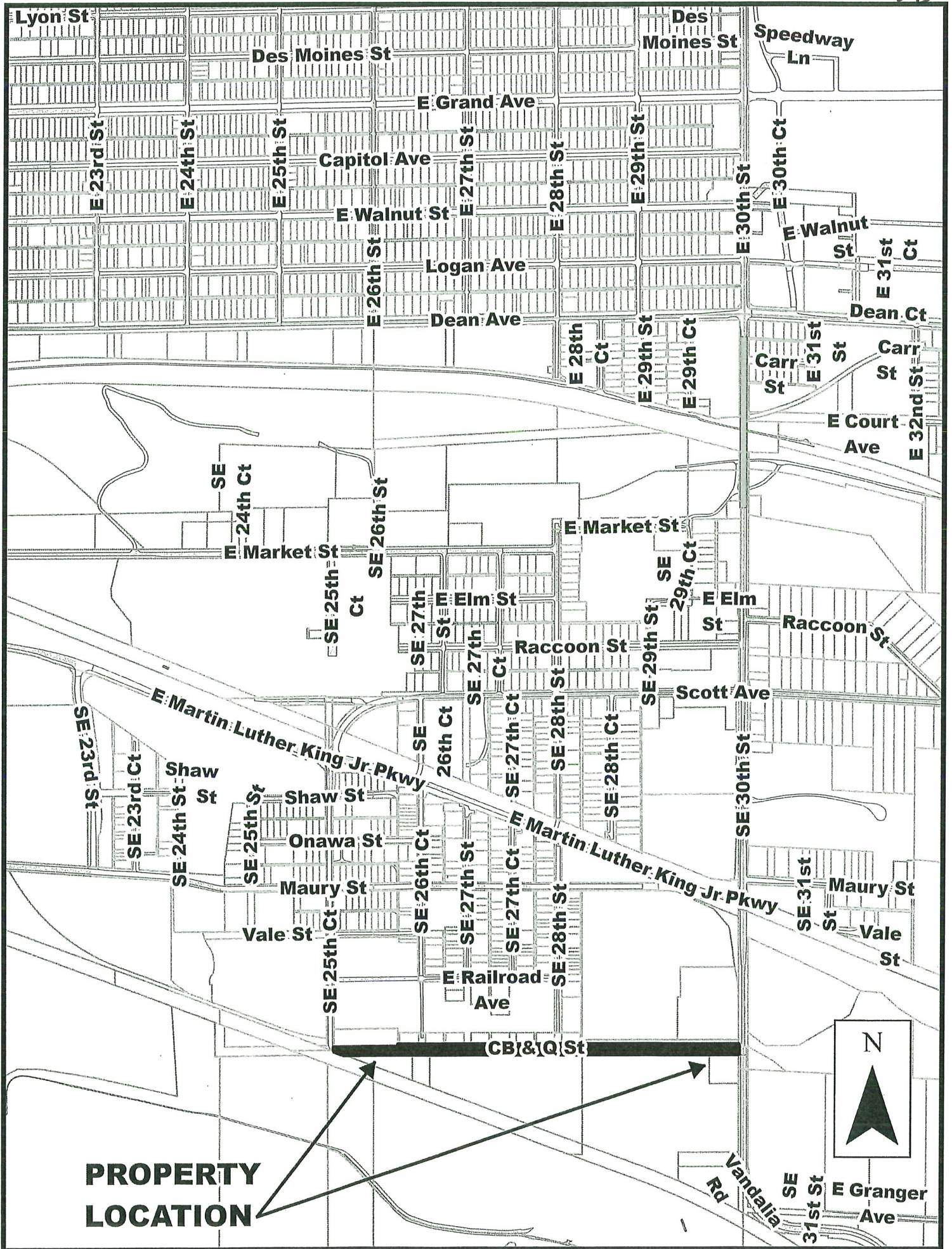
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PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING LOTS 1 & 2 OF MARGARET TURNER ESTATE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 182,084 SQUARE FEET (4.18 ACRES).

2. The City Council of the City of Des Moines, Iowa, further proposes to convey the vacated CB & Q right-of-way located between SE 25th Court and SE 30th Street, as legally described below, to the Des Moines Metropolitan Wastewater Reclamation Authority at no cost in accordance with Iowa Code §364.7(3) for the public purpose of the WRA Treatment Facility Plan Improvements project, subject to reservation of easements therein, and further subject to an ingress/egress easement to allow the City access to maintain and operate a City-owned pump station, and further subject to an easement for railroad purposes over a portion of the property until such time that the railroad operation ceases and no longer exists or the railroad tracks are removed; and

ALL OF THE VACATED CB & Q STREET RIGHT OF WAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 25TH COURT AND THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 30TH STREET, AND ALSO LYING NORTHEAST OF THE NORTHEAST RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, SAID CB & Q STREET RIGHT OF WAY LIES WITH IN A PART OF CHESTERFIELD, AN OFFICIAL PLAT, AND IN A PART OF LARISON PLACE, AN OFFICIAL PLAT, AND IN A PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING LOTS 1 & 2 OF MARGARET TURNER ESTATE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 182,084 SQUARE FEET (4.18 ACRES).

3. That the meeting of the City Council at which the adoption of said ordinance and the conveyance of such right-of-way is to be considered shall be on October 20, 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.
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 the conveyance of this property.



August 29, 2025

Communication from the City Plan and Zoning Commission advising that at their August 21, 2025 meeting, the following action was taken on a City initiated request for vacation of approximately 4.3 acres of the CB & Q Street right-of-way between Southeast 25th Court and Southeast 30th Street, and in the vicinity of 2901 CB & Q Street, to allow the vacated areas to be assembled for expansion of the Wastewater Reclamation Authority facility.

COMMISSION RECOMMENDATION: 9-0

After public hearing, the members voted as follows:

| Commission Action: | Yes | Nays | Pass | Abstain | Absent |
|--------------------|-----|------|------|---------|--------|
| Francis Boggus | | | | | X |
| Leah Rudolphi | 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 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 vacation, 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 vacation would allow the area to be assembled for an expansion project for the Des Moines Wastewater Reclamation Authority (WRA). The existing facility is to the south of the proposed vacation. Many of the parcels adjoining the proposed vacation area have already been acquired by the WRA. Additionally, there is an active railroad spur running along the northern boundary of the vacation area which is expected to continue to operate as usual.
2. **Size of Site:** The requested segment of right-of-way comprises approximately 4.3 acres (187,308 square feet).
3. **Existing Zoning (site):** "I1" and "I2" Industrial Districts.
4. **Existing Land Use (site):** The requested segment is a gravelled street right-of-way in an area generally bounded by Southeast 25th Court to the west, Iowa Interstate Railroad to the north, Southeast 30th street to the east, and undeveloped WRA land to the north and south.
5. **Adjacent Land Use and Zoning:**

North – "I1"; Norfolk Southern Interstate Railroad right-of-way and undeveloped WRA land.

South – "I2"; Uses are undeveloped WRA land.

East – "Limited I2"; Uses are heavy industrial and Southeast 30th Street right-of-way.

West – "I2", Uses are Norfolk Southern and Burlington Norther Santa Fe Interstate Railroad right-of-ways.
6. **General Neighborhood/Area Land Uses:** The surrounding area is mostly heavy industrial with a few scattered private residential and miscellaneous uses. The existing WRA facility is immediately south of this area.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a designated Neighborhood Association. All recognized neighborhood associations were notified of the meeting by emailing of the Preliminary Agenda on August 1, 2025, and by emailing of the Final Agenda on August 15, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on August 11, 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:** None.
9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Industrial.

- 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 sanitary sewer conduit and sanitary sewer manholes. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated.
- 2. Traffic/Access:** The requested vacations would not negatively impact access to private properties or traffic patterns.

III. STAFF RECOMMENDATION

Staff recommends approval of the requested right-of-way vacation, 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.

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

Johnny Alcivar made a motion for approval of the requested right-of-way vacation, 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: 9-0

Respectfully submitted,

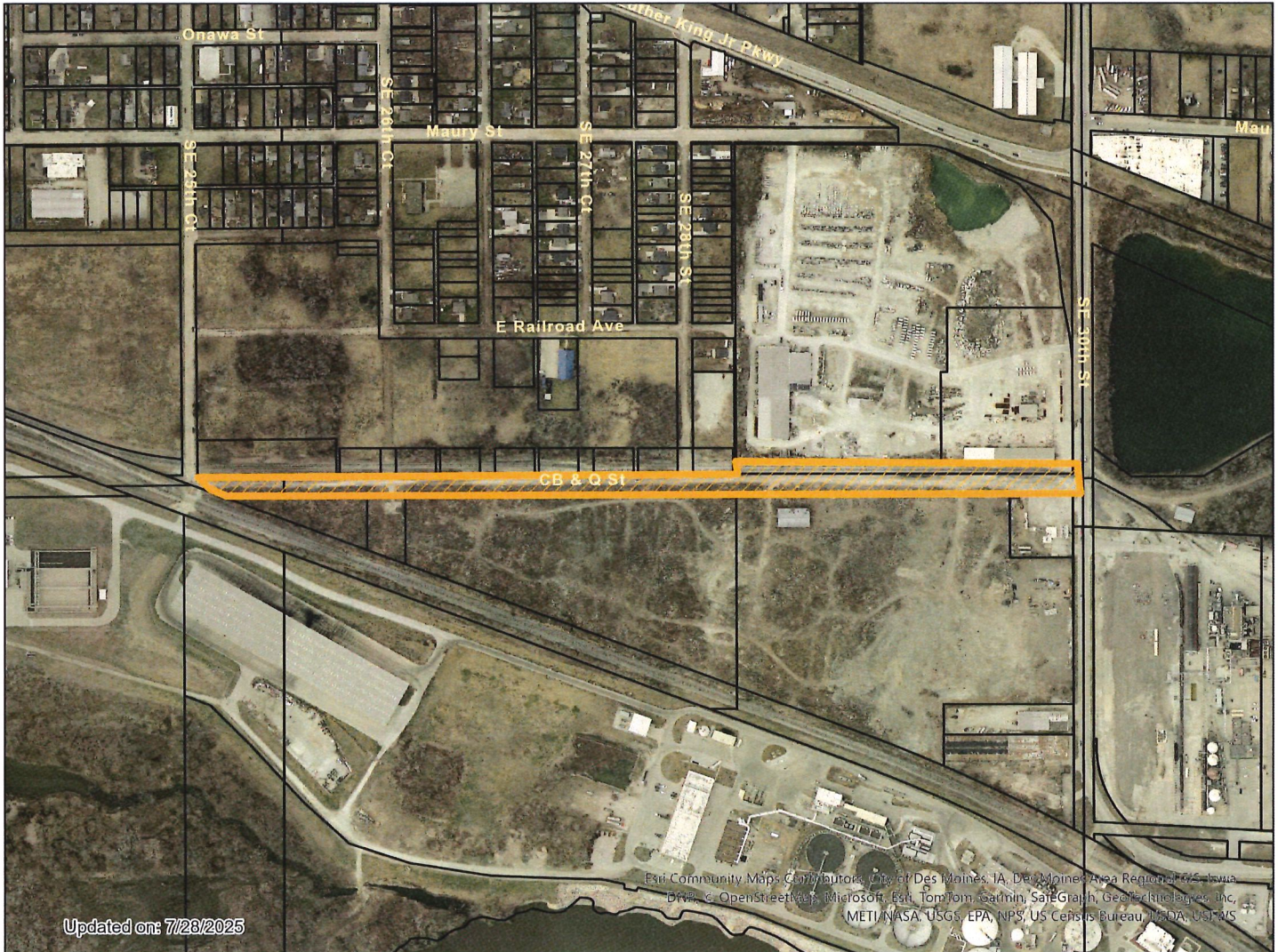


Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw

City of Des Moines, Vicinity of 2901 CB & Q Street

ROWV-2025-000010





VACATION EXHIBIT OF PUBLIC RIGHT OF WAY

SERVICE PROVIDED FOR:

CITY OF DES MOINES/DES MOINES METRO
WASTEWATER RECLAMATION AUTHORITY

LOCATED:

PART OF LOT 8 AND OF THE OFFICIAL PLAT OF
SECTION 12-T78-R24 INCLUDING LOTS 1 AND 2 OF
MARGARET TURNER ESTATE, CB&Q STREET IN THE
OFFICIAL PLAT OF CHESTERFIELD AND CB&Q STREET
IN THE OFFICIAL PLAT OF LARISON PLACE

RECORD TITLEHOLDER:

CITY OF DES MOINES

BASIS OF BEARINGS:

IOWA STATE PLANE COORDINATE SYSTEM
(NAD83) SOUTH ZONE

PROPERTY ADDRESS:

N/A

VACATION DESCRIPTION

A PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING
LOTS 1 AND 2 OF MARGARET TURNER ESTATE AND CB&Q STREET IN THE OFFICIAL PLAT
OF CHESTERFIELD AND CB&Q STREET IN THE OFFICIAL PLAT OF LARISON PLACE, ALL
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 5, FREDREGILL AN OFFICIAL PLAT;
THENCE SOUTH 00°11'44" EAST, 66.00 FEET; THENCE NORTH 89°56'32" WEST ALONG THE
SOUTH RIGHT OF WAY LINE OF CB&Q STREET, 2825.55 FEET TO THE NORTH RIGHT OF
WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE NORTH
69°43'17" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 57.09 FEET TO THE SOUTH
EXTENSION OF THE EAST RIGHT OF WAY LINE OF SE 25TH COURT; THENCE NORTH
00°13'10" WEST ALONG SAID SOUTH EXTENSION OF THE EAST RIGHT OF WAY LINE, 30.27
FEET TO THE SOUTHWEST CORNER OF LOT 10 IN BLOCK 4 OF CHESTERFIELD; THENCE
SOUTH 89°56'32" EAST ALONG THE NORTH RIGHT OF WAY LINE OF CB&Q STREET AND
THIS LINE IS ALSO THE SOUTH LINE OF BLOCK 4 OF CHESTERFIELD, 454.17 FEET TO THE
SOUTHEAST CORNER OF LOT 1 IN BLOCK 4 OF CHESTERFIELD; THENCE NORTH 00°03'28"
EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 16.00 FEET TO THE
SOUTHWEST CORNER OF THE ALLEY IN BLOCK 6 OF LARISON PLACE; THENCE SOUTH
89°56'32" EAST ALONG THE NORTH RIGHT OF WAY LINE OF CB&Q STREET AND THIS LINE
IS ALSO THE SOUTH LINE OF BLOCKS 6, 7, 14, 15, 22 OF LARISON PLACE AND THE
SOUTH LINE OF SAID LOT 5, FREDREGILL, 2424.80 FEET TO THE POINT OF BEGINNING
AND CONTAINING 4.18 ACRES (182,221 SQUARE FEET MORE OR LESS) THE PROPERTY IS
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

NOTES:

- * THIS EXHIBIT IS A VACATION OF PUBLIC RIGHT OF WAY
BY THE CITY OF DES MOINES.
- * NO DISTANCE SHOULD BE ASSUMED BY SCALING.

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EJS 7-21-25

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|------------------------|------------|-------------------|----|---|--|---|--|------------------------|-----------|--|
| HORIZ. SCALE: N/A | | DATE: 06/13/25 | |  | VACATION EXHIBIT CB&Q STREET DES MOINES, IA |  HRGreen | 5525 MERLE HAY ROAD JOHNSTON, IOWA 50131 PHONE 515-278-2913 www.hrgreen.com | | REVISIONS | |
| VERT. SCALE: N/A | SUBMITTAL: | DATE | BY | | | | DESCRIPTION | | | |
| DWN. BY: | DSN. BY: | CHK. BY: | ML | | | | ML | ADDRESS DESCR COMMENTS | | |
| PROJECT NO. 2402009 | | SHEET NO. 1/2 | | | | | | | | |

VACATION EXHIBIT OF PUBLIC RIGHT OF WAY

SE 25TH COURT
50' ROW
E. RAILROAD AVE
VACATED 50' ROW
FND 1/2" REBAR 50'(M&R) BETWEEN THEM
FND 3/4" PIPE AT MIDPOINT OF ALLEY BETWEEN LOTS 10 AND 11 IN BLOCK 5

LOT 10 449.04'(M) 452'(R)
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
LOT 4

Block 4, CHESTERFIELD
Block 6, LARLSON PLACE

SE COR LOT 1 41'
LOT 2
N00°03'28"E 16.00'
FND 1/2" REBAR SW COR OF 10' ALLEY IN BLOCK 6
FND 1/2" REBAR NE COR LOT 15 84.50'(M) 84.5'(R)
SE 26TH COURT
VACATED 50' ROW
CENTERLINE OF TRACKS

SE 30TH STREET
66' ROW
N00°11'32"W 30.27'
N69°43'17"W 57.09'
N00°11'32"W 78.61'(M)
N89°57'10"E 78.61'(R)
NE COR SEC 12-78-24
FND 5/8" REBAR W/YELLOW CAP#4821
BURLINGTON NORTHERN RAILROAD
O.P. SEC 12-78-24 INCLUDING LOTS 1 & 2
MARGARET TURNER ESTATE
CB&Q STREET
PT LOT 10
PT LOT 8
PT LOT 5, FREDREGILL
NE COR SEC 12-78-24
FND CENTER MANHOLE
S00°11'44"E 66.00'(M) 66'(R)
N00°11'44"W 2,649.31'(M)
N00°11'52"W 2,649.31'(R)
2,509.11'
FND 5/8" REBAR (BENT) SE COR LOT 5 P.O.B.
S89°56'32"E 2,424.80'(M)
2,425.8'(R)
S89°56'32"E 454.17'(M) 453'(R)
N89°56'32"W 2,825.55'
S89°57'24"W 2,631.65'(M)
S89°57'10"W 2,631.78'(R)
208.71'(R)
208.71'(R)
E1/4 COR SEC 12-78-24
FND GIN SPIKE
140.20'(M) 140.2'(R)
FND 1" PIPE
SPUR OF NORFOLK RAILROAD

0 50' 100'

J:\2024\2402009\Survey\Dwg\2402009_Exhibit Vacation.dwg ETS 7-21-25

| HORIZ. SCALE: | | DATE: | |
|---------------|----------|------------|----|
| 1"=100' | | 05/13/25 | |
| VERT. SCALE: | | SUBMITTAL: | |
| N/A | | | |
| DWN. BY: | DSN. BY: | CHK. BY: | ML |
| ML | | | |
| PROJECT NO. | | | |
| 2402009 | | | |
| SHEET NO. | | | |
| 2/2 | | | |

VACATION EXHIBIT
CB&Q STREET
DES MOINES, IA

HRGreen
5525 MERLE HAY ROAD
JOHNSTON, IOWA 50131
PHONE 515-278-2913
www.hrgreen.com

| REVISIONS | | |
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SHEET ORIENTATION

ETS 7-21-25

| | | | |
|--------------------------|----------|-------------------|----|
| HORIZ. SCALE: 1"=100' | | DATE: 06/13/25 | |
| VERT. SCALE: N/A | | SUBMITTAL: | |
| DWN. BY: ML | DSN. BY: | CHK. BY: | ML |
| PROJECT NO. 2402009 | | | |
| SHEET NO. 2/2 | | | |



SHEET ORIENTATION

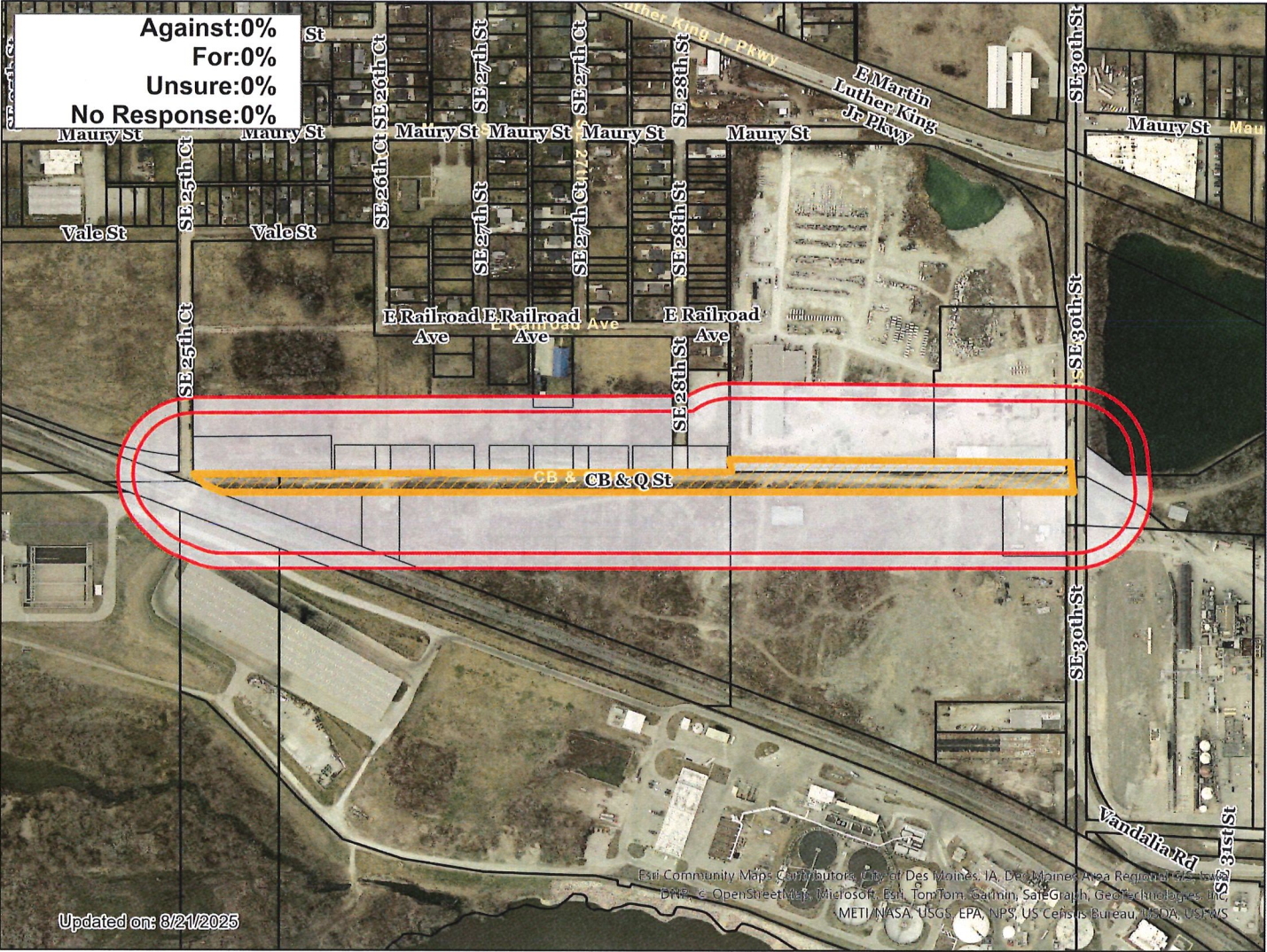
VACATION
EXHIBIT
CB&Q STREET
DES MOINES, IA



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| REVISIONS | | | |
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