



Roll Call Number

Agenda Item Number

100A

Date September 29, 2025

An Ordinance entitled, "AN ORDINANCE vacating air and subsurface rights in portions of Murphy Street and SW 14th Street right-of-way adjoining 1310 Murphy Street, Des Moines, Iowa",

presented.

Moved by that this ordinance be considered and given first vote for passage.

Second by .

FORM APPROVED:

(First of three required readings)

/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

City Clerk

60A

Prepared by: Grant Hyland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50309 (515) 283-4535
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa 50309

ORDINANCE NO. _____

AN ORDINANCE vacating air and subsurface rights in portions of Murphy Street and SW 14th Street right-of-way adjoining 1310 Murphy Street, Des Moines, Iowa.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

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

Sec. 1. That the air and subsurface rights in portions of Murphy Street and SW 14th Street right-of-way adjoining 1310 Murphy Street, Des Moines, Iowa, more specifically described as follows, be and is hereby vacated:

AIR RIGHTS

A PART OF STREET LOT 'B', GRAY'S STATION PLAT 8, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, SAID GRAY'S STATION PLAT 8; THENCE SOUTH 00°08'06" WEST ALONG THE EAST LINE OF SAID STREET LOT 'B', 29.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°08'06" WEST ALONG SAID EAST LINE, 13.00 FEET; THENCE NORTH 89°19'18" WEST, 0.28 FEET; THENCE NORTH 00°40'42" EAST, 13.00 FEET; THENCE SOUTH 89°19'18" EAST, 0.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 3 SQUARE FEET.

APPROXIMATE GROUND ELEVATION IS 20 FEET. THE BOTTOM ELEVATION OF THE EASEMENT AREA IS 30 FEET AND THE TOP ELEVATION OF THE EASEMENT AREA IS 55 FEET. ELEVATIONS ARE CITY OF DES MOINES VERTICAL DATUM.

AND

A PART OF STREET LOT 'A', GRAY'S STATION PLAT 8 AND STREET LOT 'A', GRAY'S STATION PLAT 5, BOTH OFFICIAL PLATS IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, SAID GRAY'S STATION PLAT 8; THENCE SOUTH 89°19'18" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 20.48 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°40'42" EAST, 0.50 FEET; THENCE SOUTH 89°19'18" EAST, 251.88 FEET; THENCE SOUTH 00°40'42" WEST, 0.50 FEET TO SAID NORTH LINE OF LOT 1; THENCE NORTH 89°19'18" WEST ALONG SAID NORTH LINE, 251.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 126 SQUARE FEET.

APPROXIMATE GROUND ELEVATION IS 20 FEET. THE BOTTOM ELEVATION OF THE EASEMENT AREA IS 30 FEET AND THE TOP ELEVATION OF THE EASEMENT AREA IS 55 FEET. ELEVATIONS ARE CITY OF DES MOINES VERTICAL DATUM.

SUBSURFACE RIGHTS

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Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

/s/ Grant Hyland

Grant Hyland

Assistant City Attorney

EXHIBIT 'A' - VACATION FOR AIR RIGHTS

VACATION FOR AIR RIGHTS DESCRIPTION

A PART OF STREET LOT 'A', GRAY'S STATION PLAT 8 AND STREET LOT 'A', GRAY'S STATION PLAT 5, BOTH OFFICIAL PLATS IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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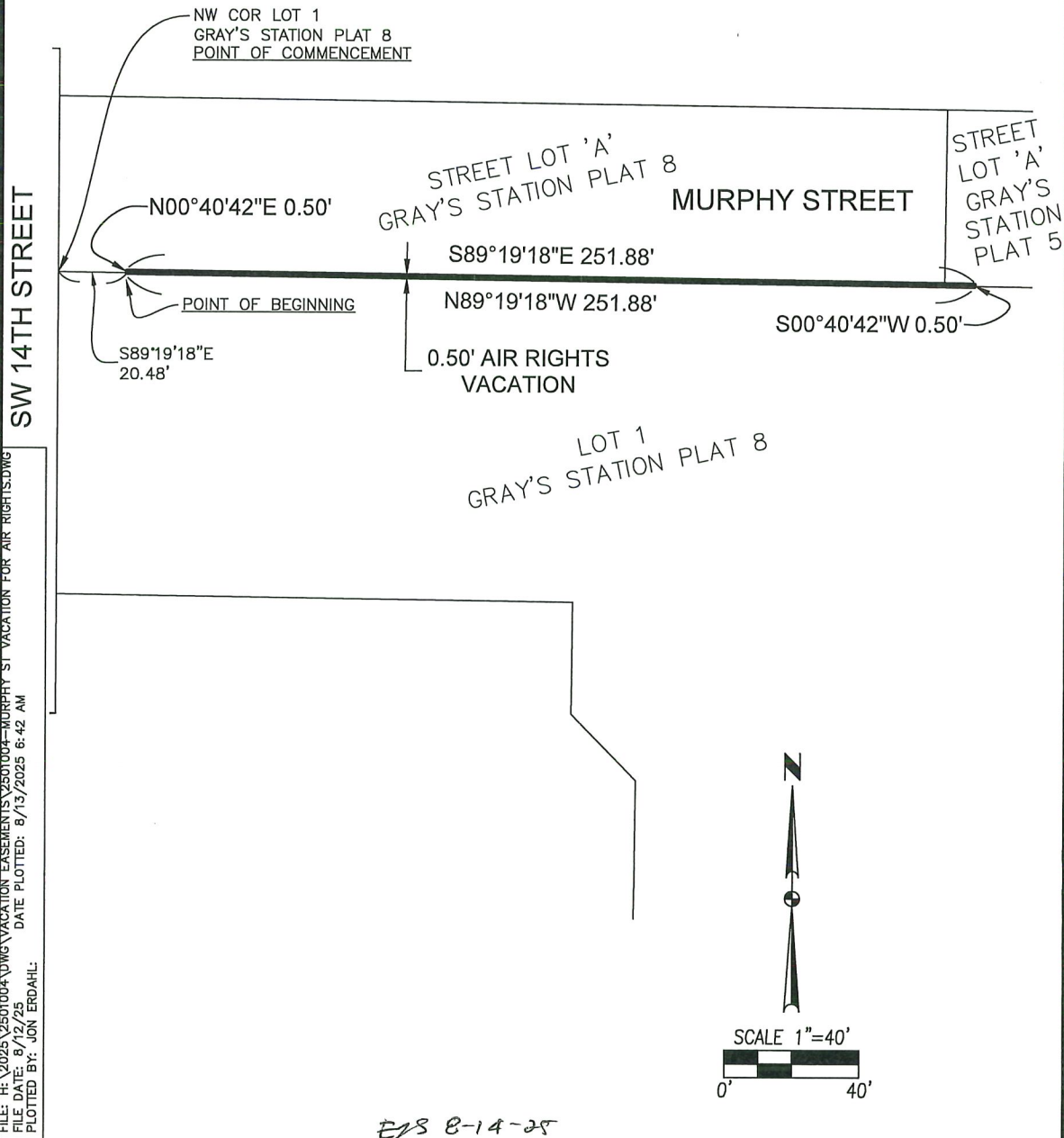


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MURPHY STREET

S89°19'18"E 0.16'

S00°08'06"W
29.83'

NW COR LOT 1
GRAY'S STATION PLAT 8
POINT OF COMMENCEMENT

POINT OF BEGINNING

AIR RIGHTS VACATION

N00°40'42"E 13.00'

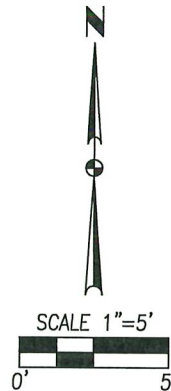
S00°08'06"W 13.00'

SW 14TH
STREET

LOT 1
GRAY'S STATION PLAT 8

N89°19'18"W 0.28'

STREET LOT 'B'
GRAY'S STATION PLAT 8



ETS 8-14-25

PT. STREET LOT 'B'
GRAY'S STATION PLAT 8
VACATION EXHIBIT



4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PH: (515) 369-4400

1/1

2501.004

DES MOINES, IOWA

CIVIL DESIGN ADVANTAGE

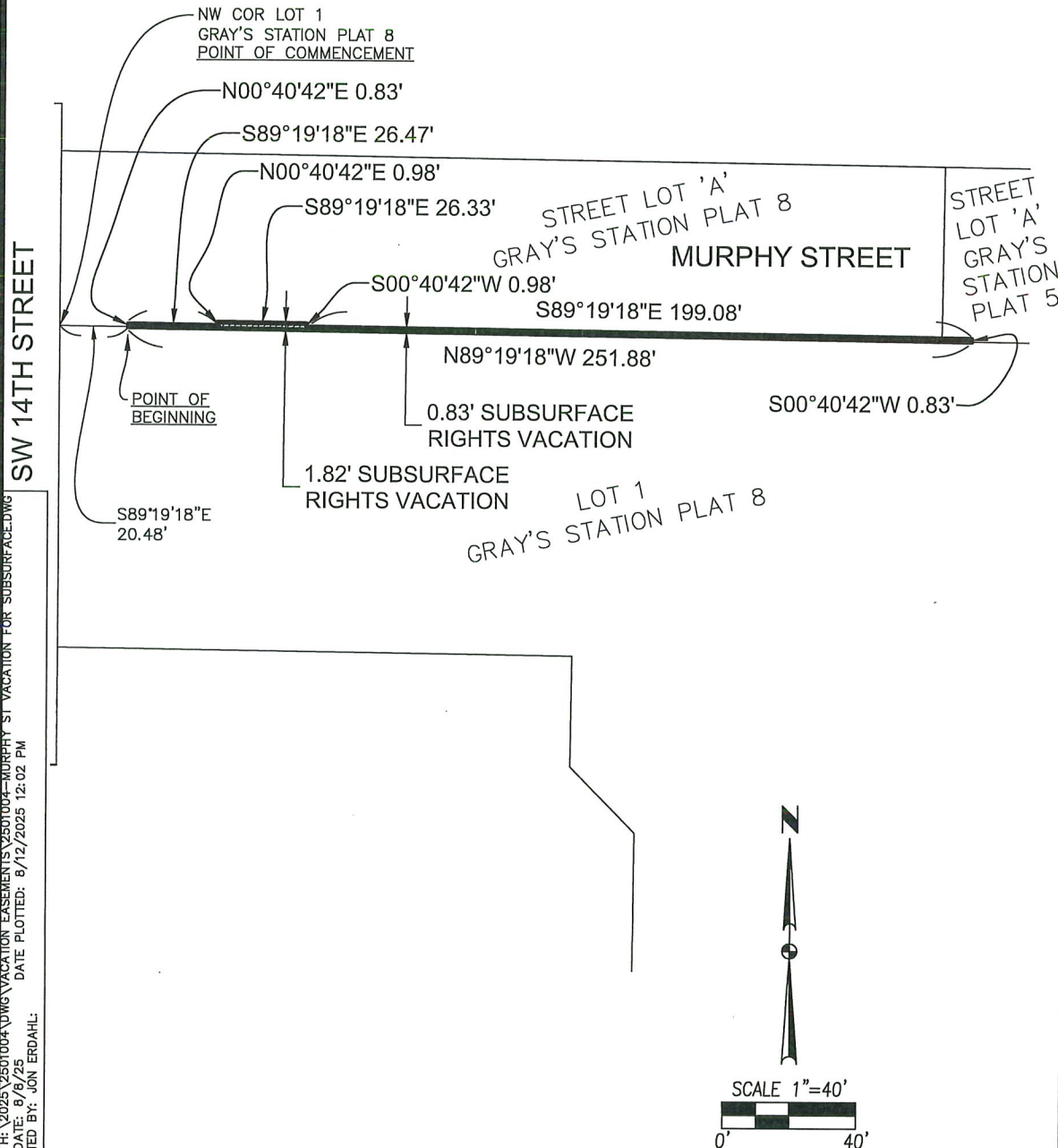
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DATE PLOTTED: 8/13/2025 6:20 AM
PLOTTED BY: JON ERDAHL

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ERS 8-14-25

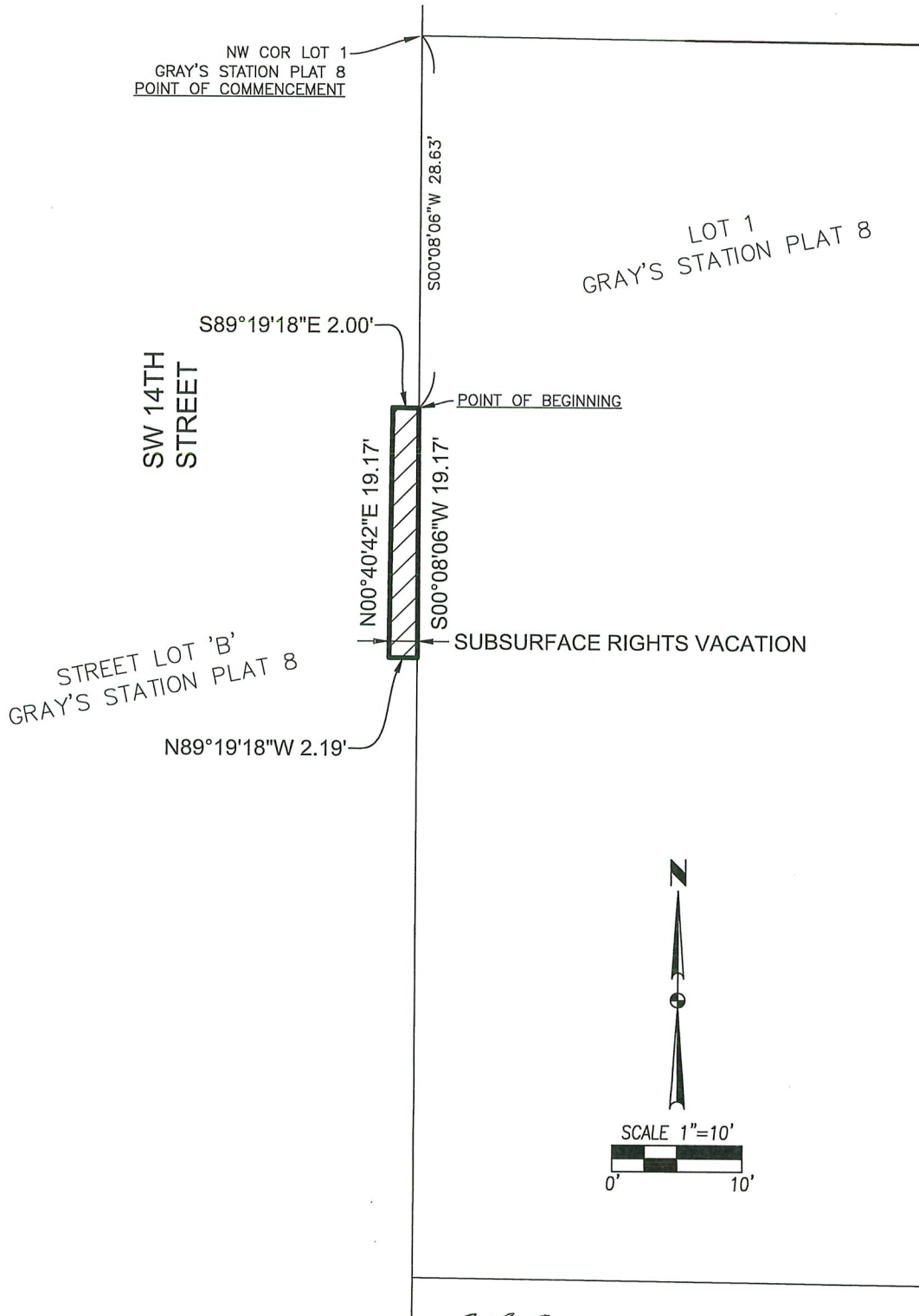
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MURPHY STREET



PT. STREET LOT 'B'
GRAY'S STATION PLAT 8
VACATION EXHIBIT



4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
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2501.004

DES MOINES, IOWA

CIVIL DESIGN ADVANTAGE

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PLOTTED BY: JON ERDAHL