



Roll Call Number

Agenda Item Number

64A

Date September 29, 2025

An Ordinance entitled, "AN ORDINANCE vacating 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,"

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Grant Hyland

Grant Hyland

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COELMAN				
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

64A

Prepared by: Grant Hyland, Assistant City Attorney, PO Box 224, Des Moines, Iowa 50306-0224, (515) 283-4535
Return to: City of Des Moines, City Clerk's Office, PO Box 224, Des Moines, IA 50306-0224

ORDINANCE NO. _____

AN ORDINANCE vacating 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, 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:

Section 1. That multiple segments of street and alley right-of-way in the vicinity of East 19th Street and Hubbell Avenue, more specifically described as follows, be and are hereby vacated:

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-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,

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 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 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

Section 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.

Section 3. The City of Des Moines hereby further reserves a twenty (20) foot wide ingress and egress easement over and across the portion East 19th Street adjoining 1901 Burson Street, Des Moines, Iowa, legally described as:

LOTS 20 AND 21, HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA (hereinafter referred to as the "Benefited Property");

This easement is for the sole benefit of the owners of the Benefited Property, including their heirs, successors and assigns, for continued use of an existing drive entrance off of the East 19th Street right of way. This easement shall remain in effect until such time that the existing garage located on the Benefited Property is removed or reconstructed, or if the drive approach and driveway serving the Benefited Property is relocated in the future from East 19th Street to Burson Street.

Section 4. 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.

Section 5. 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
SHT 1 OF 3

Burson St

E 19th St

**SUNNYSIDE ADDITION
BLOCK 3**

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

**SUNNYSIDE ADDITION
BLOCK 3**

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

E 20' LOT 2

PT LOT 2

NORTH LINE
OF LOT 14
NE CORNER
OF LOT 14

NORTH LINE
OF LOT 3

ALLEY

LOT 3

OP NE 1/4 SEC 23-T18-R24

Maple St

E 18th St

Lyon St

N

 **AREA TO BE VACATED**

1235 EB Off Rmp

WEST-LINE OF
E 20' OF LOT 2

SE CORNER
OF LOT 13

SOUTH LINE
OF LOTS 2-13

EXHIBIT A
SHT 2 OF 3

OPEN 1/4 SEC2-T78-R24

PT LOT 3

EAST LINE
OF LOT 3

PT LOT 3

SOUTH LINE
OF LOT 3

E 18th St

60'

LOT 9

SW CORNER
OF LOT 9

SE CORNER
OF LOT 3

SE LINE
OF LOT 9

LOT 26

LOT 25

LOT 23

LOT 24

LOT 22

LOT 21

NORTH LINE
OF LOTS 21-26

NE CORNER
OF LOT 21

NORTH LINE
OF LOTS 6-8

LOT 6

LOT 7

NE CORNER
OF LOT 8

NE LINE
OF LOT 8

LOT 8

SOUTH CORNER
OF LOT 9

SE CORNER
OF LOT 8

HUBBELL AVENUE
ADDITION

Hubbell Ave

E 19th St

Des
Moines
St

Des Moines St

☒ AREA TO BE VACATED

N

Maple St

EXHIBIT A
SHT 3 OF 3

Burson St

EAST LINE
OF LOT 6

SE CORNER
OF LOT 6

LOT 6

SW CORNER
OF LOT 6

OP 100FT DM&MINN RR ROW IN LTS B&C IN SD LT 2 OF OP NE 2-78-24

E 19th St

SOUTH EXTENSION
OF EAST LINE OF LOT 6

WEST LINE OF LOT 1 &
EAST LINE OF LOT 14

LOT 14

LOT 1

HUBBELL AVENUE ADDITION

LOT 10

SE CORNER
OF LOT 14

SE CORNER
OF LOT 10

SOUTH LINE
OF LOT 14

SW CORNER
OF LOT 14

NORTH LINE
OF LOT 9

NW CORNER
OF LOT 9

WEST LINE OF LOT 1 &
EAST LINE OF LOT 9

SE CORNER
OF LOT 9

LOT 9

Lyon St

NE CORNER
OF LOT 9

Lyon St

Hubbell Ave

E 19th St

HUBBELL AVENUE
ADDITION

 **AREA TO BE VACATED**



**EXHIBIT A
OPTION B**

Maple St

NE CORNER
OF LOT 6

EAST LINE
OF LOT 6

LOT 6

SE CORNER
OF LOT 6

OP 100FT DM&MIN RR ROW IN LTS B&C IN SD LT 2 OF OP NE 2-78-24

LOT 1

E 19th St

NORTH CORNER
OF LOT 21

WEST LINE OF LOTS 20-21

LOT 21

LOT 20

WEST CORNER
OF LOT 20

NORTH CORNER OF LOT 22

LOT 19

LOT 18

LOT 17

SW LINE OF
LOTS 14, 16-20

LOT 16

LOT 22

NE LINE OF
LOTS 13 & 22

WEST LINE OF
LOTS 10, 11 & 22

LOT 12

LOT 11

LOT 10

SOUTH EXTENSION
OF EAST LINE OF LOT 6

LOT 13

LOT 14

LOT 12

LOT 11

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