



Roll Call Number

Agenda Item Number

17

Date November 3, 2025

**SET HEARING FOR CONVEYANCE OF CITY OWNED PROPERTY LOCATED AT
100 11th STREET TO HYPER ENERGY BAR LLC FOR \$554,000**

WHEREAS, the City of Des Moines, Iowa, ("City") is the owner of certain real estate located on the North side of Martin Luther King, Jr. Parkway between the Southwest 11th Street and Southwest 14th Street, consisting of excess City property locally known as 100 11th Street, Des Moines, Iowa (hereinafter "Property"), more particularly described below; and

WHEREAS, the City Council of the City of Des Moines (the "City") has received a proposal in the form of a Real Estate Purchase Agreement (the "Agreement") with Hyper Energy Bar LLC ("Buyer"), which Agreement proposes the sale of certain City-owned real property to Buyer for \$554,000.00 and other good and valuable consideration, under the terms and conditions set forth in the Agreement, including the reservation of any necessary easements for all existing and future utilities until such time that they are abandoned or relocated, and further subject to additional reservations and restrictions, if any, which will be included in the Quit Claim Deed from City to Buyer, which price reflects the fair market value of the City Property as determined by an independent appraisal; and

WHEREAS, it is in the best interests of the City to sell the Property to Hyper Energy Bar LLC.

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

1. The City Council of the City of Des Moines, Iowa, proposes to sell the City property locally known as 100 11th Street, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Hyper Energy Bar LLC

Consideration: \$554,000.00

Legal Description:

A PART OF LOT 4 OF THE ORIGINAL PLAT OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AN OFFICIAL PLAT, AND PART OF DISPOSAL PARCEL 19, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 12736 PAGE 582, 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 SAID DISPOSAL PARCEL 19, SAID POINT BEING ON THE NORTH LINE OF WEST MARTIN LUTHER KING PARKWAY; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID DISPOSAL PARCEL 19 AND WESTERLY EXTENSION THEREOF AND A CURVE



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CONCAVE NORTHERLY WHOSE RADIUS IS 4169.12 FEET, WHOSE ARC LENGTH IS 986.01 FEET AND WHOSE CHORD BEARS NORTH 88°01'10" WEST, 983.71 FEET TO THE WEST LINE OF SAID LOT 4; THENCE NORTH 75°35'33" WEST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 193.85 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 4 AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1793.42 FEET, WHOSE ARC LENGTH IS 40.85 FEET AND WHOSE CHORD BEARS SOUTH 86°25'52" EAST, 40.85 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 44215.92 FEET, WHOSE ARC LENGTH IS 295.41 FEET AND WHOSE CHORD BEARS SOUTH 86°28'10" EAST, 295.41 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1915.64 FEET, WHOSE ARC LENGTH IS 278.34 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" EAST, 278.09 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 2231.69 FEET, WHOSE ARC LENGTH IS 321.37 FEET AND WHOSE CHORD BEARS NORTH 80°15'15" EAST, 321.09 FEET; THENCE NORTH 76°19'07" EAST CONTINUING ALONG SAID NORTH LINE, 32.16 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00°08'33" EAST ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 17.54 FEET TO A POINT ON THE NORTHERLY LINE OF SAID DISPOSAL PARCEL 19; THENCE NORTH 74°14'30" EAST ALONG SAID NORTHERLY LINE AND IT'S EASTERLY EXTENSION THEREOF, 150.17 FEET TO A POINT ON THE EASTERLY LINE OF SAID DISPOSAL PARCEL 19; THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 202.59 FEET, WHOSE ARC LENGTH IS 121.10 FEET AND WHOSE CHORD BEARS SOUTH 33°27'51" EAST, 119.30 FEET; THENCE SOUTH 16°20'17" EAST CONTINUING ALONG SAID EASTERLY LINE, 30.88 FEET; THENCE SOUTH 22°57'12" WEST CONTINUING ALONG SAID EASTERLY LINE, 24.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.10 ACRES (91,338 SQUARE FEET).

THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD INCLUDING BUT NOT LIMITED TO 0.21 ACRES (9,050 SQUARE FEET) OF RAILROAD RIGHT OF WAY EASEMENT RECORDED IN BOOK 11364, PAGE 895.



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2. A public hearing shall be held on Monday, November 17, 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.
3. 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.
4. Proceeds from the sale of 100 11th street (\$554,000.00) will be deposited into the Fed Title 23 Land Sales Account, ST256.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Emily A. Duffy
Emily A. Duffy,
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.

Laura Baumgartner, City Clerk

REGISTER ORDER NO. 13162 **ROLL CALL** LEGAL BULLETIN BOARD FOLLOW UP

NOTICE OF PROPOSAL TO CONVEY CITY-OWNED PROPERTY

NOTICE IS HEREBY GIVEN that the City Council of the City of Des Moines, Iowa, shall consider adoption of a resolution relating to a proposal to convey the vacant land located at the northwest corner of W. Martin Luther King Jr. Parkway and Southwest 11th Street, locally known as 100 11th Street, legally described below, to Hyper Energy Bar, LLC. for \$554,000.00, subject to the reservation of easements for all existing and future utilities in place, until such time that they are abandoned or relocated, which price reflects fair market value for the Property as determined by an independent appraiser.

A PART OF LOT 4 OF THE ORIGINAL PLAT OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AN OFFICIAL PLAT, AND PART OF DISPOSAL PARCEL 19, AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 12736 PAGE 582, 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 SAID DISPOSAL PARCEL 19, SAID POINT BEING ON THE NORTH LINE OF WEST MARTIN LUTHER KING PARKWAY; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID DISPOSAL PARCEL 19 AND WESTERLY EXTENSION THEREOF AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 4169.12 FEET, WHOSE ARC LENGTH IS 986.01 FEET AND WHOSE CHORD BEARS NORTH 88°01'10" WEST, 983.71 FEET TO THE WEST LINE OF SAID LOT 4; THENCE NORTH 75°35'33" WEST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 193.85 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 4 AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1793.42 FEET, WHOSE ARC LENGTH IS 40.85 FEET AND WHOSE CHORD BEARS SOUTH 86°25'52" EAST, 40.85 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 44215.92 FEET, WHOSE ARC LENGTH IS 295.41 FEET AND WHOSE CHORD BEARS SOUTH 86°28'10" EAST, 295.41 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1915.64 FEET, WHOSE ARC LENGTH IS 278.34 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" EAST, 278.09 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTH LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 2231.69 FEET, WHOSE ARC LENGTH IS 321.37 FEET AND WHOSE CHORD BEARS NORTH 80°15'15" EAST, 321.09 FEET; THENCE NORTH 76°19'07" EAST CONTINUING ALONG SAID NORTH LINE, 32.16 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00°08'33" EAST ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 17.54 FEET TO A POINT ON THE NORTHERLY LINE OF SAID DISPOSAL PARCEL 19; THENCE NORTH 74°14'30" EAST ALONG SAID NORTHERLY LINE AND IT'S EASTERLY EXTENSION THEREOF, 150.17 FEET TO A POINT ON THE EASTERLY LINE OF SAID DISPOSAL PARCEL 19; THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 202.59 FEET, WHOSE ARC LENGTH IS 121.10 FEET AND WHOSE CHORD BEARS SOUTH 33°27'51" EAST, 119.30 FEET; THENCE SOUTH 16°20'17" EAST CONTINUING ALONG SAID EASTERLY LINE, 30.88 FEET; THENCE SOUTH 22°57'12" WEST CONTINUING ALONG SAID EASTERLY LINE, 24.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.10 ACRES (91,338 SQUARE FEET).

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NOTICE IS FURTHER GIVEN that the City Council will consider the approval of the proposed conveyance after a public hearing to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa on November 17, 2025. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

PUBLISHED IN THE DES MOINES REGISTER ON November 5, 2025.