

Date April 6, 2026

SET HEARING FOR VACATION OF A PORTION OF EAST MARTIN LUTHER KING, JR. PARKWAY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING 500 SE 7TH STREET, 506 SE 7TH STREET AND 509 SE 6TH STREET AND CONVEYANCE TO MARKET DISTRICT APARTMENTS, LP FOR \$4,500

WHEREAS, 509 SE 6th, LLC, the owner of 500 SE 7th Street, 506 SE 7th Street and 509 SE 6th Street, Des Moines, Iowa, has requested that the City of Des Moines, Iowa (“City”) vacate a portion of East Martin Luther King, Jr. Parkway right-of-way lying north of and adjoining 500 SE 7th Street, 506 SE 7th Street and 509 SE 6th Street (hereinafter “Property”), which request was not presented to the City’s Plan and Zoning Commission for review and has instead been determined by the City Traffic Engineer to have no significant impact upon the public use of the right-of-way, in accordance with Municipal Code 102-286(b); and

WHEREAS, Market District Apartments, LP has offered to the City the purchase price of \$4,500.00 for the purchase of said Property for assemblage with their adjoining properties for construction of a housing project, 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 a restriction that limits what can be built on said Property, which price reflects the fair market value of the City property as determined by the City’s Real Estate Division; and

WHEREAS, there is no known current or future public need for the street right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation and sale 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 a portion of the East Martin Luther King, Jr. Parkway right-of-way lying north of and adjoining 500 SE 7th Street, 506 SE 7th Street and 509 SE 6th Street, Des Moines, Iowa, legally described as follows, subject to reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

A PART OF EAST MARTIN LUTHER KING JR. PARKWAY ADJOINING BLOCK 47, TOWN OF DE MOINE, AN OFFICIAL PLAT, IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF SAID BLOCK 47; THENCE N14°50'24"W, 6.00 FEET; THENCE N74°59'54"E, 317.86 FEET; THENCE S14°50'37"E, 6.00 FEET; THENCE S74°59'34"W, 149.93 FEET; THENCE S74°59'34"W, 18.00 FEET; THENCE S74°59'34"W, 149.93 FEET, TO THE POINT OF BEGINNING.

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DESCRIBED AREA CONTAINS 1,906 SQ. FT. AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated East Martin Luther King, Jr. Parkway right-of-way, as legally described below, to Market District Apartments, LP for \$4,500.00, subject to any and all easements, restrictions and covenants of record, and further subject to a restriction that limits what can be built on said Property:

A PART OF VACATED EAST MARTIN LUTHER KING JR. PARKWAY ADJOINING BLOCK 47, TOWN OF DE MOINE, AN OFFICIAL PLAT, IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF SAID BLOCK 47; THENCE N14°50'24"W, 6.00 FEET; THENCE N74°59'54"E, 317.86 FEET; THENCE S14°50'37"E, 6.00 FEET; THENCE S74°59'34"W, 149.93 FEET; THENCE S74°59'34"W, 18.00 FEET; THENCE S74°59'34"W, 149.93 FEET, TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS 1,906 SQ. FT. AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such right-of-way is to be considered shall be on April 20, 2026, said meeting to be held at 5:00 p.m., in the T.M. Franklin Cownie City Administration Building, 1200 Locust Street, 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. That 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. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

 **Roll Call Number**

Agenda Item Number

13

Date April 6, 2026

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				
BARRON				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				

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.

MOTION CARRIED APPROVED
 _____ Mayor

 Laura Baumgartner, City Clerk