



Roll Call Number

17-1112

Agenda Item Number

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Date June 26, 2017

**HOLD HEARING FOR DES MOINES PARK AND RECREATION DEPARTMENT INITIATED REQUEST TO VACATE ROYAL PARK LOCATED AT 1809 8<sup>TH</sup> STREET**

**WHEREAS**, on June 12, 2017, the Park and Recreation Board voted to approve a recommendation from the Des Moines Park and Recreation Department that the City Council of the City of Des Moines, vacate Royal Park located at 1809 8<sup>th</sup> Street, Des Moines, Iowa; and

**WHEREAS**, there is no known current or anticipated public benefit or need for Royal Park that is proposed to be vacated, and the City will not be inconvenienced by the proposed vacation of said Royal Park as parkland.

**WHEREAS**, on June 12, 2017, by Roll Call No. 17-0976, it was duly resolved by the City Council that the proposed vacation of such parkland be set down for hearing on June 26, 2017, at 5:00 p.m., in the Council Chamber; and

**WHEREAS**, due notice of said proposal to vacate Royal Park was given as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with said notice, those interested in said proposed vacation, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to said proposed vacation of Royal Park as parkland, as described herein, are hereby overruled and the hearing is closed.

2. There is no public need or benefit for Royal Park, and the public would not be inconvenienced by reason of the vacation of Royal Park, located at 1809 8<sup>th</sup> Street, Des Moines, legally described as follows:

ALL OF LOT 10 AND THE NORTH HALF (1/2) OF LOT 9 IN BLOCK 10 OF THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 34, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M. (SOMETIMES KNOWN AS POLK COUNTY HOMESTEAD AND TRUST CO'S ADDITION, AN OFFICIAL PLAT), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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3. The vacation of Royal Park, as legally described above, is hereby approved, subject to final passage and publication of the vacation ordinance.

(Council Communication No. 17.499)

Moved by Gray to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
 Ann DiDonato  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED			APPROVED	

T. M. Franklin Cownie Mayor

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh City Clerk