



Roll Call Number

18-0456

Agenda Item Number

23

Date March 19, 2018

SET HEARING FOR VACATION OF PARKLAND LOCATED EAST OF 2<sup>ND</sup> AVENUE AND CROCKER STREET AND CONVEYANCE TO POLK COUNTY, IOWA

WHEREAS, the City of Des Moines proposes to vacate approximately 5.79 acres of parkland located along the Des Moines River east of 2<sup>nd</sup> Avenue, north of the Iowa Women of Achievement Bridge, and south of Interstate 235, Des Moines, Iowa (hereinafter "Property"), and further proposes to convey said Property to Polk County, Iowa for no consideration in accordance with Iowa Code §364.7(3); and

WHEREAS, Polk County, Iowa then proposes to work with private entities to raise funds for and construct a skateboarding park on the Property, and upon completion of said skateboard park, convey the Property back to the City of Des Moines for rededication as parkland and management by the City Parks and Recreation Department; and

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

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating parkland located along the Des Moines River east of 2<sup>nd</sup> Avenue, north of the Iowa Women of Achievement Bridge, and south of Interstate 235, more specifically described as follows:

ALL OF BLOCK H, RIVER HILLS PLAT ONE, AN OFFICIAL PLAT;

AND

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK H OF SAID RIVER HILLS PLAT ONE; THENCE NORTHEASTLY ALONG THE EAST LINE OF SAID BLOCK H TO A POINT ON A NORTH LINE OF SAID BLOCK H, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID BLOCK H; THENCE EASTERLY ALONG THE EASTERLY EXTENSION OF SAID NORTH LINE OF SAID BLOCK H TO THE WEST BANK OF THE DES MOINES RIVER; THENCE SOUTHWESTERLY ALONG SAID WEST BANK TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID BLOCK H; THENCE WESTERLY ALONG SAID EASTERLY EXTENSION TO THE POINT OF BEGINNING;



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ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 5.79 ACRES (252,221 SQUARE FEET).

2. That if the City Council decides to vacate the above-described parkland, the City of Des Moines further proposes to convey such vacated Property to Polk County, Iowa for no consideration in accordance with Iowa Code §364.7(3), said vacation and conveyance are subject to the condition that Polk County has received at least 50% of the costs of constructing said skateboard park, including a \$225,000 maintenance fund, and pledges for the remaining costs.

3. That the meeting of the City Council at which the adoption of said ordinance and the proposed conveyance of such real estate is to be considered shall be on March 26, 2018, said meeting to be held at 7:30 a.m., in the Macrae Room, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa.

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 Section 362.3 of the Iowa Code.

5. There are no proceeds associated with this transaction.

Moved by Mandelbaum to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL (7 yeas).

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.

Mayor signature

Diane Rauh City Clerk