



Roll Call Number

22-0823

Agenda Item Number

41(D)

Date May 23, 2022

**APPROVING NAMING AND DEDICATION OF GRAY’S LAKE WETLANDS PROJECT AREA
AS PARKLAND**

WHEREAS, on January 24, 2022, by Roll Call No. 22-0095, the City Council received and filed a communication from the City Parks and Recreation Board advising that the Board voted unanimously to APPROVE the SW Infrastructure and Planning Study and recommendation of dedication of City-owned property as the Gray’s Lake Wetlands Project Area, south of Gray’s Lake and depicted in the attached exhibit, as parkland; and

WHEREAS, on May 9, 2022, by Roll Call No. 22-0687, the City Council received and filed a communication from the City Plan and Zoning Commission advising that at a hearing held on April 21, 2022, the Commission voted 12-0 to APPROVE the vacation of City-owned right-of-way located south of Gray’s Lake within the Wetlands Project Area, and by Roll Call No. 22-0690 resolved to set a public hearing on said vacation for May 23, 2022 at 5:00 pm in the City Council Chambers; and

WHEREAS, on May 23, 2022, by Roll Call No. 22-0822 and Ordinance No. 16,131, the City Council approved the vacation of said City-owned right-of-way within the Wetlands Project Area; and

WHEREAS, said vacated City-owned right-of-way and adjoining City-owned real property, as depicted in the exhibit attached hereto and legally described as follows, is recommended as part of the SW Infrastructure and Planning Study to be dedicated as parkland for the park-related purposes of the Gray’s Lake Wetlands project area:

ALL OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING EAST OF THE WEST LINE OF GRAY PLACE, AN OFFICIAL PLAT, AND LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 1 IN SAID GRAY PLACE, **AND** ALL OF THE VACATED 40.0 FEET WIDE STREET RIGHT OF WAY (DIAGONAL STREET) ADJOINING THE SOUTH LINE OF SAID GRAY PLACE AND LYING EAST OF THE WEST LINE OF SAID GRAY PLACE AND LYING WEST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 1, **AND** ALL OF THE VACATED 40.0 FEET WIDE STREET RIGHT OF WAY ADJOINING THE EAST LINE OF SAID GRAY PLACE AND LYING SOUTH OF THE NORTH LINE OF SAID GRAY PLACE AND LYING NORTH OF THE NORTHEASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF DIAGONAL STREET IN SAID GRAY PLACE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA,

AND

ALL OF “SOUTH PARCEL 69” AND “SOUTH PARCEL 69a”, SAID PARCELS ARE DESCRIBED AND SHOWN ON PLAT IN DEED RECORDED IN BOOK 15270 PAGES 41-66 AT THE RECORDER’S OFFICE OF POLK COUNTY, IOWA, PART OF SAID PARCEL IS IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND PART OF SAID PARCEL IS IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA,

AND



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ALL OF "SOUTH PARCEL 70", SAID PARCEL IS DESCRIBED AND SHOWN ON PLATS IN DEED RECORDED IN BOOK 15270 PAGES 41-66 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PARCELS ARE ALL IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA,

AND

~~-EXCEPT~~ THE WEST 100.0 FEET THEREOF-, ALL OF "PARCEL 73", SAID PARCEL IS DESCRIBED AND SHOWN ON PLAT IN DEED RECORDED IN BOOK 15270 PAGES 41-66 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PARCEL IS ALL IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA,

AND

ALL OF "PARCEL 71 SOUTH" AND "PARCEL 72", SAID PARCELS ARE DESCRIBED AND SHOWN ON PLATS IN DEED RECORDED IN BOOK 15270 PAGES 41-66 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PARCELS ARE ALL IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, ~~-EXCEPT~~ AREA "A", AREA "C" AND AREA "D" AND DESCRIBED AS FOLLOWS:

AREA "A" - COMMENCING AT THE SOUTHWEST CORNER OF SAID "PARCEL 72"; THENCE NORTH 71° (DEGREES) 30' (MINUTES) 43" (SECONDS) EAST ALONG THE SOUTHERLY LINE OF SAID "PARCEL 72", A DISTANCE OF 704.54 FEET; THENCE NORTH 18°29'17" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 30.85 FEET; THENCE NORTH 57°31'14" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 19.79 FEET TO THE POINT OF BEGINNING; THENCE NORTH 32°28'46" WEST, 40.00 FEET; THENCE NORTH 57°31'14" EAST, 90.50 FEET; THENCE SOUTH 32°28'46" EAST, 40.00 FEET TO THE SOUTHERLY LINE OF SAID "PARCEL 72"; THENCE SOUTH 57°31'14" WEST ALONG SAID SOUTHERLY LINE OF "PARCEL 72" AND ALONG SAID SOUTHERLY LINE OF "PARCEL 71 SOUTH", A DISTANCE OF 90.50 FEET TO THE POINT OF BEGINNING, **AND**

AREA "C" - COMMENCING AT THE SOUTHWEST CORNER OF SAID "PARCEL 72"; THENCE NORTH 71° (DEGREES) 30' (MINUTES) 43" (SECONDS) EAST ALONG THE SOUTHERLY LINE OF SAID "PARCEL 72", A DISTANCE OF 655.32 FEET TO THE POINT OF BEGINNING; THENCE NORTH 32°28'46" WEST, 58.02 FEET; THENCE NORTH 57°31'14" EAST, 75.00 FEET; THENCE SOUTH 32°28'46" EAST, 40.00 FEET TO THE SOUTHERLY LINE OF SAID "PARCEL 72"; THENCE SOUTH 57°31'14" WEST ALONG SAID SOUTHERLY LINE, 19.79 FEET; THENCE SOUTH 18°29'17" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 30.85 FEET; THENCE SOUTH 71°30'43" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 49.21 FEET TO THE POINT OF BEGINNING, **AND**



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AREA "D" - COMMENCING AT THE SOUTHWEST CORNER OF SAID "PARCEL 72"; THENCE NORTH 71° (DEGREES) 30' (MINUTES) 43" (SECONDS) EAST ALONG THE SOUTHERLY LINE OF SAID "PARCEL 72", A DISTANCE OF 704.54 FEET; THENCE NORTH 18°29'17" WEST CONTINUING ALONG SAID SOUTHERLY LINE 30.85 FEET; THENCE NORTH 57°31'14" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 110.31 FEET TO THE POINT OF BEGINNING; THENCE NORTH 32°28'46" WEST 48.29 FEET; THENCE NORTH 57°31'14" EAST, 81.75 FEET; THENCE SOUTH 32°28'46" EAST, 48.29 FEET TO THE SOUTHERLY LINE OF SAID "PARCEL 72"; THENCE SOUTH 57°31'14" WEST ALONG SAID SOUTHERLY LINE OF "PARCEL 72" AND ALONG SAID SOUTHERLY LINE OF "PARCEL 71 SOUTH", A DISTANCE OF 81.75 FEET TO THE POINT OF BEGINNING,

AND CONTAINING APPROXIMATELY 34.02 ACRES (1,482,068 SQUARE FEET); and

WHEREAS, it is in the best interest of the City to dedicate the City-owned real property described above and depicted in the attached exhibit as parkland.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the City-owned real property, including the City-owned right-of-way vacated by Ordinance No. 16,131, all as legally described above and shown in the attached exhibit, be and is hereby dedicated to use as parkland and that such parkland is hereby named and to be known as Gray's Lake Wetlands project area.

(Council Comm. No. 22-232)

MOVED BY Mandelbaum TO ADOPT.

Approved as to Form:

SECONDED BY Boesen

/s/Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, P. Kay Cmelik, 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
J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk