

★ Roll Call Number

25-0431

Agenda Item Number

21

Date March 24, 2025

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF A PORTION  
OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LOCATED IN THE BLOCK  
BOUNDED BY SE 5<sup>TH</sup> STREET TO THE WEST, PIONEER ROAD TO THE SOUTH,  
AND HARTFORD AVENUE TO THE NORTH AND CONVEYANCE TO ADJOINING  
PROPERTY OWNERS FOR \$150.00**

**WHEREAS**, on November 18, 2024, by Roll Call No. 24-1564, the City Council of the City of Des Moines, Iowa voted to receive and file the recommendation from the City Plan and Zoning Commission that the southernmost 132 lineal feet of a north/south alley right-of-way in the vicinity of 2114 SE 6<sup>th</sup> Street, which is within the block bounded by Pioneer Road to the south and Hartford Avenue to the north ("City Right-of-Way"), hereinafter more fully described, be vacated, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City; and

**WHEREAS**, Robert N. Armagost, Jr. and Roberta Leann Armagost, owners of 2114 SE 6<sup>th</sup> Street, have offered to the City of Des Moines ("City") the purchase price of \$25.00 for the vacation and purchase of the portion of alley right-of-way adjoining their property at 2114 SE 6<sup>th</sup> Street; and Pae Pi and Hser K. Htoo, owners of 2103 and 2105 SE 5<sup>th</sup> Street, have offered to the City the purchase price of \$75.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 2103 and 2105 SE 5<sup>th</sup> Street; and Deborah K. Steffens and Kenneth Steffens, owners of 2110 SE 6<sup>th</sup> Street have offered to the City the purchase price of \$25.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 2110 SE 6<sup>th</sup> Street; and Guidner Properties LLC, owner of 2116 SE 6<sup>th</sup> Street, has offered to the City the purchase price of \$25.00 for vacation and purchase of the portion of alley right-of-way adjoining its property at 2116 SE 6<sup>th</sup> Street, for incorporation into their respective residential properties, which price reflects the fair market value of the City Right-of-Way as determined by the City's Real Estate Division; and

**WHEREAS**, there is no known current or future public need for the City Right-of-Way proposed to be vacated and sold, 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. The City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the southernmost 132 lineal feet of a north/south alley right-of-way in the vicinity of 2114 SE 6<sup>th</sup> Street, which is within the block bounded by Pioneer Road to the south and Hartford Avenue to the north, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City:

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND  
ADJOINING LOTS 17 THROUGH 22, VAN GINKEL ADDITION TO



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SEVASTOPOL, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 2,112 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the southernmost 132 lineal feet of the north/south alley right-of-way in the vicinity of 2114 SE 6<sup>th</sup> Street, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

Grantee: Robert N. Armagost, Jr. and Roberta Leann Armagost

Consideration: \$25.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOTS 19 AND 20, VAN GINKEL ADDITION TO SEVASTOPOL, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 352 SQUARE FEET.

Grantee: Pae Pi and Hser K. Htoo

Consideration: \$75.00

Legal Description:

THE WEST HALF (W 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 23 THROUGH 26, VAN GINKEL ADDITION TO SEVASTOPOL, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,056 SQUARE FEET

Grantee: Deborah K. Steffens and Kenneth Steffens

Consideration: \$25.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOTS 17 AND 18, VAN GINKEL ADDITION TO SEVASTOPOL, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 352 SQUARE FEET.

Grantee: Guidner Properties LLC

Consideration: \$25.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOTS 21 AND 22, VAN GINKEL ADDITION TO SEVASTOPOL, AN OFFICIAL PLAT, ALL NOW INCLUDED IN



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AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 352 SQUARE FEET.

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 7, 2025, said meeting to be held 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. 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.

Moved by Gatto to adopt. Second by Coleman

APPROVED AS TO FORM:

/s/ Grant Hyland  
Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

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

Laura Baumgartner, City Clerk