



Roll Call Number

25-0597

Agenda Item Number

44

Date April 21, 2025

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF
1447 EAST RAILROAD AVENUE AND GEOPARCEL 7824-11-156-002 TO
MIDAMERICAN ENERGY COMPANY IN EXCHANGE FOR A PORTION OF
1450 HARRIET STREET FOR \$16,020.00**

WHEREAS, the City of Des Moines, Iowa (“City”) is the owner of property locally known as 1447 E. Railroad Avenue and Geoparcel 7824-11-156-002, Des Moines, Iowa which adjoins property owned by MidAmerican Energy Company where they plan to construct an electric substation (hereinafter “City Parcel”), more particularly described below; and

WHEREAS, MidAmerican Energy Company is the owner of 1450 Harriet Street, Des Moines, Iowa, a portion of which is required by the City for additional SE 15th Street right-of-way (hereinafter “MidAmerican Parcel”), more particularly described below; and

WHEREAS, MidAmerican Energy Company has offered to the City the purchase price of \$16,020.00 along with conveyance of the MidAmerican Parcel in exchange for the City Parcel, described below, to assemble with their adjoining property at 1450 Harriet Street and 1419 East Railroad Avenue, for the purposes of constructing an electric substation and other related business uses, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which will be included in the Quit Claim Deed from City to Buyer, and further subject to review of the proposed development by the Zoning Board of Adjustment for conditional use, compliance with site plan review and screening being provided in accordance with section 135-7.10.5 of the Des Moines City Code, which represents an equitable exchange of value as determined by the City’s Real Estate Division; and

WHEREAS, the property conveyed to the City by said Land Exchange Agreement shall be assembled with the adjoining SE 15th Street right-of-way and shall be dedicated as City right-of-way; and

WHEREAS, there is no known current or anticipated public need or benefit for the City Parcel proposed to be exchanged, and the City will not be inconvenienced by the conveyance of said City Parcel; and

WHEREAS, on April 7, 2025 by Roll Call No. 25-0502, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on April 21, 2025 at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to convey the City Parcel by land exchange agreement was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

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



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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 the proposed conveyance of certain City-owned property located at 1447 E. Railroad Avenue and Geoparcels 7824-11-156-002, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the City property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of 1447 E. Railroad Avenue and Geoparcels 7824-11-156-002, Des Moines, Iowa, as legally described as below:

LOTS 12 AND 13, T.M. WALKER'S ADDITION, AN OFFICIAL PLAT, AND THE SOUTH 25.0 FEET OF THE VACATED EAST RAILROAD AVENUE RIGHT OF WAY LYING NORTH OF AND ADJOINING SAID LOTS 12 AND 13, AND THE NORTH HALF (N 1/2) OF VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING SAID LOTS 12 AND 13, **-EXCEPT** THE EAST 10 FEET OF THE ABOVE DESCRIBED AREAS-, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. (CONTAINING APPROXIMATELY 11,790 SQUARE FEET).

AND

A TRACT OF LAND IN LOT 4 OF SAID T.M. WALKER'S ADDITION, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 4 TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 2.0 FEET; THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF SAID LOT 4 AND IS 1-FOOT WEST OF THE NORTHEAST CORNER OF SAID LOT 4; THENCE EAST ALONG SAID NORTH LINE TO POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. (CONTAINING APPROXIMATELY 150 SQUARE FEET).

TOTAL AREA CONTAINING APPROXIMATELY 0.274 ACRES (11,940 SQUARE FEET)

3. The proposed Land Exchange Agreement with MidAmerican Energy Company, whereby the City agrees to convey the City Parcel legally described above in exchange for the purchase price of \$16,020.00 and conveyance to the City of a portion of MidAmerican Energy Company's property located at 1450 Harriett Street, Des Moines, Iowa, 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,

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which will be included in the Quit Claim Deed from City to Buyer, and further subject to review of the proposed development by the Zoning Board of Adjustment for conditional use, compliance with site plan review and screening being provided in accordance with section 135-7.10.5 of the Des Moines City Code, is hereby approved:

THE EAST 10 FEET OF THE FOLLOWING DESCRIBED AREAS:

LOT 50, T.M. WALKER'S ADDITION, AN OFFICIAL PLAT, AND THE SOUTH HALF (S 1/2) OF VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING SAID LOT 50,

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.028 ACRES (1,260 SQUARE FEET)

4. The Mayor is authorized and directed to sign the Land Exchange Agreement and Quit Claim Deeds for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Manager is authorized to sign any minor and non-substantial amendments to the land exchange agreement and is further authorized to grant any temporary rights of entry for construction-related activities prior to closing.
6. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deeds, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
7. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deeds, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing the documents to be recorded.
8. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deeds and copies of the other documents to the grantee.
9. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



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Moved by

Gatto

to adopt. Second by

Voss

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

City Clerk