



25-1212

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Date September 8, 2025

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**SET HEARING TO CORRECT VACATION OF TWO IRREGULAR SHAPED
SEGMENTS OF UNDEVELOPED RIGHT-OF-WAY LOCATED IN THE VICINITY
OF 6200 SCOUT TRAIL AND CORRECT THE RELEASE OF PERMANENT
EASEMENT FOR PUBLIC RIGHT OF WAY ON SAID PROPERTY**

WHEREAS, on July 14, 2025, by Roll Call No. 25-0998, the City Council of the City of Des Moines voted to pass Ordinance No. 16,481 vacating two irregular shaped segments of undeveloped right-of-way located in the vicinity of 6200 Scout Trail to allow the adjoining property owner, Bell Avenue Properties, Inc., to assemble the vacated right-of-way with their adjoining property and authorizing a Release of Easement for public right-of-way, subject to reservation of easement for existing utilities; and

WHEREAS, subsequent to passing Ordinance No. 16,481, an error was discovered in the legal description of the vacated right-of-way leading to the need to repeal said ordinance and pass a new ordinance to vacate the properly described right-of-way and to correct release of the Permanent Easement for Public Right of Way on said property.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider the repeal of Ordinance No. 16,481 and adoption of a corrected ordinance permanently vacating two irregular shaped segments of undeveloped right-of-way located in the vicinity of 6200 Scout Trail, Des Moines, Iowa, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

A PORTION OF A 60.00 FOOT WIDE PUBLIC RIGHT-OF-WAY EASEMENT (e) IN LOT 1, AIRPORT INDUSTRIAL PARK PLAT 3, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID LOT 1; THENCE S89°57'51"W, 296.72 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 540.00 FEET AND A CHORD BEARING S79°36'59"W, AN ARC LENGTH OF 307.01 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE N42°14'42"E, 73.54 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO A POINT; THENCE N89°57'51"E, 248.50 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING

AND

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID LOT 1; THENCE S89°57'51"W, 545.22 FEET ALONG THE NORTH LINE OF SAID LOT



1 TO A POINT; THENCE S42°14'42"W, 85.63 FEET ALONG SAID NORTH LINE TO A POINT; THENCE N56°17'08"W, 10.21 FEET ALONG SAID NORTH LINE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 910.00 FEET AND A CHORD BEARING N56°40'19"W, AN ARC LENGTH OF 12.28 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET AND A CHORD BEARING N74°06'50"W, AN ARC LENGTH OF 133.95 FEET TO A POINT THAT COINCIDES WITH SAID NORTH LINE OF LOT 1; THENCE N24°35'47"E, 29.87 FEET ALONG SAID COINCIDING LINE TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 910.00 FEET AND A CHORD BEARING S61°13'52"E, AN ARC LENGTH OF 132.54 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

2. The City of Des Moines further proposes to correct the release of Permanent Easement for Public Right of Way that encumbers said property.
3. That the meeting of the City Council at which the repeal of Ordinance No. 16,481 and the adoption of said corrected ordinance vacating such right-of-way and correction of the release of easement are to be considered shall be on September 29, 2025, said hearing 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. There will be no proceeds associated with this transaction.



Roll Call Number

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Agenda Item Number

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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

Laura Baumgartner, City Clerk