



**Roll Call Number**

*26-0665*

**Agenda Item Number**

*19*

**Date** ..... June 8, 2026

**SET HEARING FOR CONVEYANCE OF THE VACATED EAST/WEST ALLEY  
RIGHT-OF-WAY ADJOINING 1107 GUTHRIE AVENUE TO AARON N. PAYNE AND  
AMANDA PAYNE IN EXCHANGE FOR A PERMANENT EASEMENT FOR  
SANITARY SEWER RIGHT-OF-WAY**

**WHEREAS**, the City of Des Moines, Iowa (“City”) is the owner of the vacated east/west alley right-of-way located south of and adjoining 1107 Guthrie Avenue, Des Moines, Iowa (hereinafter “City Property”), more particularly described below; and

**WHEREAS**, the City needs a Permanent Easement for Sanitary Sewer Right-of-Way (“Easement”) across a portion of the adjoining property at 1107 Guthrie Avenue, Des Moines, Iowa, more particularly described below; and

**WHEREAS**, Aaron N. Payne and Amanda Payne (“Seller”) are the owners of 1107 Guthrie Avenue, Des Moines, Iowa, and have offered to convey the Easement to the City in exchange for the City Property, in order to assemble said City Property with their adjoining property, subject to the reservation of easements therein, which represents an equitable exchange of value as determined by the City’s Real Estate Division; and

**WHEREAS**, there is no known current or future public need or benefit for the Property proposed to be exchanged, and the City will not be inconvenienced by the conveyance of said Property.

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

1. The City Council of the City of Des Moines, Iowa, proposes to convey the vacated east/west alley right-of-way located south of and adjoining 1107 Guthrie Avenue, Des Moines, Iowa, as legally described, to Aaron N. Payne and Amanda Payne, subject to a reservation of easements therein:

THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING THE WEST HALF (W 1/2) OF LOT 38 AND LYING SOUTH OF AND ADJOINING LOT 39, ALL IN HAST’S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. In exchange for the vacated alley right-of-way, Aaron N. Payne and Amanda Payne will grant the City a Permanent Easement for Sanitary Sewer Right-of-Way across a portion of their property located at 1107 Guthrie Avenue, legally described below:

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-EXCEPT GARAGE-,

THE WEST 10.0 FEET OF LOT 39, AND

THAT PART OF THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING THE WEST 10.0 FEET OF SAID LOT 39,

ALL IN HAST'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. A public hearing shall be held on June 29, 2026, at 5:00 p.m. in the City Council Chamber, T.M. Franklin Cownie City Administration Building, 1200 Locust Street, 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.
4. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
5. There are no proceeds associated with this exchange

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	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Cornie 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