



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

WHEREAS, on May 22, 2025, the City Plan and Zoning Commission approved a request from Bell Avenue Properties, Inc. represented by Jonathan Koehn, Officer, for the vacation of two irregular shaped segments of undeveloped right-of-way adjoining 6200 Scout Trail, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated at the applicant's expense; and

WHEREAS, on June 9, 2025, by Roll Call No. 25-0821, the City Council of the City of Des Moines received and filed the recommendation from the Plan and Zoning Commission that the two irregular shaped segments of undeveloped right-of-way, measuring approximately 2,550 square feet and 11,228 square feet in area, in the vicinity of 6200 Scout Trail, as legally described below, be vacated subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated at the applicant's expense; and

WHEREAS, on December 4, 2020, Bell Avenue Properties, Inc. granted the City of Des Moines ("City") a Permanent Easement for Public Right of Way ("Easement") as recorded in the Office of the Polk County Recorder on January 26, 2021 in Book 18324, Page 708, for the future continuation of Scout Trail. This Easement was granted to the City for no consideration as required for approval of the site plan for the property at 6200 Scout Trail; and

WHEREAS, the plans for the continuation of Scout Trail have since been abandoned, and the City does not intend to extend the trail to connect further east; and

WHEREAS, Bell Avenue Properties, Inc. has requested that the City release the Easement, allowing them to assemble the vacated right-of-way with their adjoining property; and

WHEREAS, there is no known current or future public need or benefit for the public right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said property and release of the Easement in such vacated right-of-way.

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 adoption of an 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:



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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"E, 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"E, 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. That if the City Council of the City of Des Moines, Iowa, first decides to vacate the above described right-of-way, the City of Des Moines further proposes to release the Permanent Easement for Public Right of Way that encumbers said property.
3. That the meeting of the City Council at which the vacation of said right-of-way and release of easement are to be considered shall be on July 14, 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



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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.

Moved by Gatto to adopt. Second by Noss.

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