



Roll Call Number

25-0993

Agenda Item Number

40

Date July 14, 2025

Page 1

**HOLD HEARING FOR VACATION OF SEGMENTS OF INGERSOLL AVENUE,
6TH AVENUE, EAST GRAND AVENUE AND UNIVERSITY AVENUE RIGHT-OF-WAY
AND CONVEYANCE OF EASEMENTS FOR BUS SHELTER ENCROACHMENT ON
CITY-OWNED PROPERTY TO DES MOINES AREA REGIONAL TRANSIT
AUTHORITY FOR \$3,000.00**

WHEREAS, Des Moines Area Regional Transit Authority (hereinafter "DART") wishes to acquire fifteen (15) permanent easements on portions of City right-of-way located at various points along Ingersoll Avenue, 6th Avenue, East Grand Avenue and University Avenue, as legally described below ("Easement Area"), for the purpose of constructing, operating and maintaining DART bus stop shelters; and

WHEREAS, DART and the City Real Estate Division have negotiated the terms of the permanent easements which include: (1) DART's installation and use of the Bus Shelter shall comply with all City, State and Federal ordinances and regulations; (2) DART, or its contractors, shall obtain, comply with, and pay all related fees for all necessary permits, and provide required insurance and bond, related to excavation and obstruction of City right-of-way upon and above the Easement Area prior to accessing the Easement Area, and, except in the case of emergency, access to the Easement Area shall be limited to the times set forth in such permits; (3) the bus shelter shall be constructed and installed in accordance with plans and specifications approved by the City Engineer or designee, and DART shall certify to the City that the bus shelter has been constructed and located within the Easement Area as shown on the approved plans and specifications; (4) DART shall be solely responsible for all activities related to and costs of maintenance of the Easement Area and installation, operation, maintenance and repair of the bus shelter, including snow removal, in accordance with City ordinances, policies and regulations, and State law, which easements are subject to the reservation of utilities therein; and

WHEREAS, DART shall pay to the City \$200.00 per easement, a total of \$3,000.00 for costs incurred by the City in preparing necessary documentation for bus shelter locations to allow for vacation and conveyance of an easement within the right-of-way, including but not limited to preparation of an exhibit and corresponding legal description, and no additional consideration is required in accordance with Iowa Code §364.7(3); and

WHEREAS, the vacation of said portions of City right-of-way located along Ingersoll Avenue, 6th Avenue, East Grand Avenue and University Avenue, as legally described below, and conveyance of said Easements for Bus Shelter Encroachment on City-Owned Property will not inconvenience the City or public; and

WHEREAS, on June 30, 2025, by Roll Call No. 25 - 0912, it was duly resolved by the City Council of the City of Des Moines, Iowa that the proposed vacation and conveyance of such permanent easement interests be set for hearing on July 14, 2025, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and



Roll Call Number

25-0993

Agenda Item Number

40

Date July 14, 2025

Page 2

WHEREAS, due notice of said proposal to vacate portions of City right-of-way located along Ingersoll Avenue, 6th Avenue, East Grand Avenue and University Avenue and convey said proposed easements therein 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 said proposed vacation and 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.

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 said proposed vacation and conveyance of the Easements for Bus Shelter Encroachment on City-owned Property in such vacated right-of-way, as described below, are hereby overruled and the hearing is closed.
2. The public would not be inconvenienced by reason of the vacation of various portions of City right-of-way located along Ingersoll Avenue, 6th Avenue, East Grand Avenue and University Avenue, subject to the reservation of easement therein, legally described as follows, and said vacation is hereby approved:

100-V2 INGERSOLL AVENUE AND 23RD STREET WESTBOUND

A PORTION OF INGERSOLL AVENUE RIGHT OF WAY IN THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER (1/4) OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF LOT 4 OF THE OFFICIAL PLAT OF LOT 13 OF THE SOUTHWEST QUARTER (1/4) OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M.; THENCE SOUTH 89°(DEGREES) 47'(MINUTES) 35"(SECONDS) WEST, 59.84 FEET ON THE NORTH RIGHT OF WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 00°30'22" EAST, 21.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°30'22" EAST, 7.92 FEET; THENCE SOUTH 89°48'06" WEST, 13.93 FEET; THENCE NORTH 00°21'33" EAST, 7.98 FEET; THENCE SOUTH 89°58'59" EAST, 13.81 FEET TO THE POINT OF BEGINNING CONTAINING 110 SQUARE FEET MORE OR LESS.

100-V3 INGERSOLL AVENUE AND 26TH STREET. WESTBOUND

A PORTION OF INGERSOLL AVENUE RIGHT OF WAY IN LOT A, J. BAMPF PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:



Roll Call Number

Agenda Item Number

25-0993

40

Date July 14, 2025

Page 3

REFERRING TO SOUTHEAST CORNER OF LOT 1, IN SAID J. BAMPF PLACE; THENCE SOUTH 89°(DEGREES) 47'(MINUTES) 34"(SECONDS) WEST, 87.98 FEET ON THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 00°08'15" WEST, 21.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°08'15" WEST, 7.92 FEET; THENCE SOUTH 89°50'13" WEST, 15.70 FEET; THENCE NORTH 00°00'52" EAST, 7.91 FEET; THENCE NORTH 89°48'37" EAST, 15.71 FEET TO THE POINT OF BEGINNING CONTAINING 124 SQUARE FEET MORE OR LESS.

100-V4 INGERSOLL AVENUE AND MARTIN LUTHER KING, JR. PARKWAY EASTBOUND
A PORTION OF INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 1, ANKENY PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°(DEGREES) 53'(MINUTES) 48"(SECONDS) EAST, 40.19 FEET ON THE NORTH LINE OF SAID LOT 1; THENCE NORTH 00°55'28" EAST, 21.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°55'28" EAST, 6.07 FEET; THENCE NORTH 89°51'30" EAST, 16.19 FEET; THENCE SOUTH 00°09'04" WEST, 6.07 FEET; THENCE NORTH 89°51'58" WEST, 16.27 FEET TO THE POINT OF BEGINNING CONTAINING 99 SQUARE FEET.

100-V5 INGERSOLL AVENUE AND 23RD STREET EASTBOUND
A PORTION OF INGERSOLL AVENUE RIGHT OF WAY, BEING A PART OF LOT 11 OF THE OFFICIAL PLAT OF LOT 13, OFFICIAL PLAT OF SW 1/4 SEC 5-T78N-R24W, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHEAST CORNER OF LOT 6, OFFICIAL PLAT OF LOT 13, OFFICIAL PLAT OF SW1/4 SEC 5-T78N-R24W; THENCE SOUTH 89°(DEGREES) 49'(MINUTES) 36"(SECONDS) WEST, 18.53 FEET ON THE NORTH LINE OF SAID LOT 6; THENCE NORTH 00°22'03" WEST, 21.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°22'03" WEST, 5.93 FEET; THENCE NORTH 89°58'17" EAST, 16.07 FEET; THENCE SOUTH 00°00'35" EAST, 5.93 FEET; THENCE SOUTH 89°59'09" WEST, 16.04 FEET TO THE POINT OF BEGINNING CONTAINING 95 SQUARE FEET.

100-V6 INGERSOLL AVENUE AND 26TH STREET EASTBOUND
A PORTION OF INGERSOLL AVENUE RIGHT OF WAY, BEING A PART OF LOT A AND ADJOINING LOT 4, J. BAMPF PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHEAST CORNER OF SAID LOT 4, THENCE SOUTH 89°(DEGREES) 52'(MINUTES) 11"(SECONDS) WEST, 76.70 FEET ON THE NORTH LINE OF SAID LOT 4; THENCE NORTH 00°21'10" EAST, 21.95 FEET TO THE POINT OF BEGINNING; THENCE



Roll Call Number

250993

Agenda Item Number

40

Date July 14, 2025

Page 4

SOUTH 89°55'18" WEST, 16.08 FEET; THENCE NORTH 00°12'23" EAST, 5.83 FEET; THENCE NORTH 89°51'27" EAST, 16.09 FEET; THENCE SOUTH 00°21'10" WEST, 5.85 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

101-V1 INGERSOLL AVENUE AND 29TH STREET EASTBOUND

A PORTION OF INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 21, BLOCK 3, MCCAIN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE NORTH 82°(DEGREES) 42'(MINUTES) 50"(SECONDS) WEST, 28.45 FEET ON THE SOUTHERLY LINE OF SAID LOT 21; THENCE SOUTH 08°48'02" WEST, 23.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 08°48'02" WEST, 5.93 FEET; THENCE NORTH 82°46'27" WEST, 15.77 FEET; THENCE NORTH 07°11'51" EAST, 5.98 FEET; THENCE SOUTH 82°36'38" EAST, 15.94 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

101-V2 INGERSOLL AVENUE AND 29TH STREET WESTBOUND

A PORTION OF INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 9, PARRIOT PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTH 82°(DEGREES) 42'(MINUTES) 50"(SECONDS) WEST, 28.15 FEET ON THE NORTHERLY LINE OF SAID LOT 9; THENCE NORTH 08°07'08" EAST, 23.16 FEET TO THE POINT OF BEGINNING; THENCE NORTH 82°50'23" WEST, 15.86 FEET; THENCE NORTH 07°31'20" EAST, 5.96 FEET; THENCE SOUTH 82°21'58" EAST, 15.92 FEET; THENCE SOUTH 08°07'08" WEST, 5.83 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

173-01 6TH AVENUE AND INDIANA AVENUE NORTHBOUND

A PORTION OF 6TH AVENUE RIGHT-OF-WAY IN HEDGES' ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK C, PAGE 172 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ACQUISITION PLAT AS SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17728, PAGE 515 OF THE POLK COUNTY RECORDER; THENCE N00°20'32"E ALONG THE EAST LINE OF SAID ACQUISITION PLAT, A DISTANCE OF 41.38 FEET; HENCE N89°39'28"W, A DISTANCE OF 1.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°39'28"W, A DISTANCE OF 7.00 FEET;

25-099340Date July 14, 2025

THENCE N00°20'32"E, A DISTANCE OF 48.00 FEET; THENCE S89°39'28"E, A DISTANCE OF 7.00 FEET TO THE EAST LINE OF SAID ACQUISITION PLAT; THENCE S00°20'32"W ALONG THE EAST LINE OF SAID ACQUISITION PLAT, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-02 6TH AVENUE AND FOREST AVENUE SOUTHBOUND

A PORTION OF 6TH AVENUE RIGHT-OF-WAY IN GRAND PARK, AN OFFICIAL PLAT, AS RECORDED IN BOOK D, PAGE 2 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 24 OF SAID GRAND PARK; THENCE S00°05'23"E ALONG THE EAST LINE OF SAID LOT 24, A DISTANCE OF 39.03 FEET; THENCE S87°38'30"E, A DISTANCE OF 13.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S87°38'30"E, A DISTANCE OF 7.00 FEET; THENCE S02°21'30"W, A DISTANCE OF 48.00 FEET; THENCE N87°38'30"W, A DISTANCE OF 7.00 FEET; THENCE N02°21'30"E, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-03 6TH AVENUE AND FOREST AVENUE NORTHBOUND

A PORTION OF 6TH AVENUE RIGHT-OF-WAY IN GRAND PARK, AN OFFICIAL PLAT, AS RECORDED IN BOOK C, PAGE 202 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE ACQUISITION PLAT AS SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17930, PAGE 133 OF THE POLK COUNTY RECORDER; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID ACQUISITION PLAT, A DISTANCE OF 59.89 FEET TO THE SOUTHEAST CORNER OF SAID ACQUISITION PLAT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE ACQUISITION PLAT SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17844, PAGE 395 OF THE POLK COUNTY RECORDER; THENCE S00°04'06"E ALONG THE EAST LINE OF THE ACQUISITION PLAT SHOWN IN THE WARRANTY DEED RECORDED IN SAID BOOK 17844, PAGE 395, A DISTANCE OF 68.92 FEET; THENCE S89°55'54"W, A DISTANCE OF 5.67 FEET TO THE POINT OF BEGINNING; THENCE S00°04'06"E, A DISTANCE OF 48.00 FEET; THENCE S89°55'54"W, A DISTANCE OF 7.00 FEET; THENCE N00°04'06"W, A DISTANCE OF 48.00 FEET; THENCE N89°55'54"E, A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-08 EAST GRAND AVENUE AND EAST 4TH STREET WESTBOUND

A PORTION OF EAST GRAND AVENUE RIGHT-OF-WAY IN EAST FORT DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK A, PAGE 136 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Roll Call Number**25-0993**Agenda Item Number**40**Date** July 14, 2025

Page 6

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 OF CITY CENTER PLAT 1, AN OFFICIAL PLAT, AS RECORDED IN BOOK Z, PAGE 75 OF THE POLK COUNTY RECORDER; THENCE N74°49'19"E ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 88.98 FEET; THENCE S15°10'41"E, A DISTANCE OF 11.22 FEET TO THE POINT OF BEGINNING; THENCE N74°49'19"E, A DISTANCE OF 37.00 FEET; THENCE S15°10'41"E, A DISTANCE OF 8.30 FEET; THENCE S74°49'19"W, A DISTANCE OF 37.00; THENCE N15°10'41"W, A DISTANCE OF 8.30 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 307 SQUARE FEET.

173-10 EAST GRAND AVENUE AND EAST 6TH STREET WESTBOUND

A PORTION OF EAST GRAND AVENUE RIGHT-OF-WAY IN EAST FORT DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK A, PAGE 136 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 20 OF SAID EAST FORT DES MOINES; THENCE N74°18'55"E ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 23.59 FEET; THENCE S15°41'05"E, A DISTANCE OF 12.21 FEET TO THE POINT OF BEGINNING; THENCE N74°18'55"E, A DISTANCE OF 18.00 FEET; THENCE S15°41'05"E, A DISTANCE OF 9.00 FEET; THENCE S74°18'55"W, A DISTANCE OF 18.00 FEET; THENCE N15°41'05"W, A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 162 SQUARE FEET.

173-12 UNIVERSITY AVENUE AND 31ST STREET EASTBOUND

A PORTION OF UNIVERSITY AVENUE RIGHT-OF-WAY IN KINGMAN PLACE, AN OFFICIAL PLAT, AS RECORDED IN BOOK D, PAGE 137 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 18 OF SAID KINGMAN PLACE; THENCE S89°59'29"E ALONG THE NORTH LINE OF SAID LOT 18, A DISTANCE OF 31.33 FEET; THENCE N00°00'31"E, A DISTANCE OF 12.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°00'31"E, A DISTANCE OF 11.00 FEET; THENCE S89°59'29"E, A DISTANCE OF 35.00 FEET; THENCE S00°00'31"W, A DISTANCE OF 11.00 FEET; THENCE N89°59'29"W, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 385 SQUARE FEET.

AREA "A" UNIVERSITY AVENUE AND 42ND AVENUE WESTBOUND

THAT PART OF UNIVERSITY AVENUE RIGHT-OF-WAY LYING SOUTH OF LOT 1, REPLAT OF THE E 1/3 OF ERNHURST, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:



25-0993

40

Date July 14, 2025

Page 7

COMMENCING AT THE SOUTHWEST CORNER OF LOT 5 OF SAID OFFICIAL PLAT; THENCE SOUTH 89°(DEGREES) 55'(MINUTES) 54"(SECONDS) EAST, 270.31 FEET; THENCE SOUTH 0°04'06" WEST, 5.28 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°55'54" EAST, 16.00 FEET; THENCE SOUTH 0°04'06" WEST, 6.00 FEET; THENCE NORTH 89°55'54" WEST, 16.00 FEET; THENCE NORTH 0°04'06" EAST, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 96 SQUARE FEET.

AREA "B" UNIVERSITY AVENUE AND 42ND AVENUE EASTBOUND

THAT PART OF UNIVERSITY AVENUE RIGHT-OF-WAY LYING NORTH OF LOT 5, FAGEN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6 OF SAID OFFICIAL PLAT; THENCE SOUTH 89°(DEGREES) 55'(MINUTES) 54"(SECONDS) EAST, 233.93 FEET; THENCE NORTH 0°04'06" EAST, 11.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°04'06" EAST, 6.00 FEET; THENCE SOUTH 89°55'54" EAST, 16.00 FEET; THENCE SOUTH 0°04'06" WEST, 6.00 FEET; THENCE NORTH 89°55'54" WEST, 16.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 96 SQUARE FEET.

3. That the conveyance of an Easement for Bus Shelter Encroachment on City-owned Property in such vacated right-of-way as described below, to Des Moines Area Regional Transit Authority for a fee of \$3,000.00, together with payment by said grantee of the estimated publication and recording costs for this transaction, be and is hereby approved, subject to the reservation of easements therein, and further subject to the negotiated terms of the permanent easements as set forth herein above:

100-P2 INGERSOLL AVENUE AND 23RD STREET WESTBOUND

A PART OF THE VACATED INGERSOLL AVENUE RIGHT OF WAY IN THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER (1/4) OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF LOT 4 OF THE OFFICIAL PLAT OF LOT 13 OF THE SOUTHWEST QUARTER (1/4) OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M.; THENCE SOUTH 89°(DEGREES) 47'(MINUTES) 35"(SECONDS) WEST, 59.84 FEET ON THE NORTH RIGHT OF WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 00°30'22" EAST, 21.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°30'22" EAST, 7.92 FEET; THENCE SOUTH 89°48'06" WEST, 13.93 FEET; THENCE NORTH 00°21'33" EAST, 7.98 FEET; THENCE SOUTH 89°58'59" EAST, 13.81 FEET TO THE POINT OF BEGINNING CONTAINING 110 SQUARE FEET MORE OR LESS.

100-P3 INGERSOLL AVENUE AND 26TH STREET. WESTBOUND

A PART OF THE VACATED INGERSOLL AVENUE RIGHT OF WAY IN LOT A, J. BAMPF PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE



Roll Call Number

250993

Agenda Item Number

40

Date July 14, 2025

Page 8

CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO SOUTHEAST CORNER OF LOT 1, IN SAID J. BAMPF PLACE; THENCE SOUTH 89°(DEGREES) 47'(MINUTES) 34"(SECONDS) WEST, 87.98 FEET ON THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 00°08'15" WEST, 21.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°08'15" WEST, 7.92 FEET; THENCE SOUTH 89°50'13" WEST, 15.70 FEET; THENCE NORTH 00°00'52" EAST, 7.91 FEET; THENCE NORTH 89°48'37" EAST, 15.71 FEET TO THE POINT OF BEGINNING CONTAINING 124 SQUARE FEET MORE OR LESS.

100-P4 INGERSOLL AVENUE AND MARTIN LUTHER KING, JR. PARKWAY EASTBOUND
A PORTION OF THE VACATED INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 1, ANKENY PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89°(DEGREES) 53'(MINUTES) 48"(SECONDS) EAST, 40.19 FEET ON THE NORTH LINE OF SAID LOT 1; THENCE NORTH 00°55'28" EAST, 21.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°55'28" EAST, 6.07 FEET; THENCE NORTH 89°51'30" EAST, 16.19 FEET; THENCE SOUTH 00°09'04" WEST, 6.07 FEET; THENCE NORTH 89°51'58" WEST, 16.27 FEET TO THE POINT OF BEGINNING CONTAINING 99 SQUARE FEET.

100-P5 INGERSOLL AVENUE AND 23RD STREET EASTBOUND
A PORTION OF THE VACATED INGERSOLL AVENUE RIGHT OF WAY, BEING A PART OF LOT 11 OF THE OFFICIAL PLAT OF LOT 13, OFFICIAL PLAT OF SW 1/4 SEC 5-T78N-R24W, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHEAST CORNER OF LOT 6, OFFICIAL PLAT OF LOT 13, OFFICIAL PLAT OF SW1/4 SEC 5-T78N-R24W; THENCE SOUTH 89°(DEGREES) 49'(MINUTES) 36"(SECONDS) WEST, 18.53 FEET ON THE NORTH LINE OF SAID LOT 6; THENCE NORTH 00°22'03" WEST, 21.76 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°22'03" WEST, 5.93 FEET; THENCE NORTH 89°58'17" EAST, 16.07 FEET; THENCE SOUTH 00°00'35" EAST, 5.93 FEET; THENCE SOUTH 89°59'09" WEST, 16.04 FEET TO THE POINT OF BEGINNING CONTAINING 95 SQUARE FEET.

100-P6 INGERSOLL AVENUE AND 26TH STREET EASTBOUND
A PORTION OF THE VACATED INGERSOLL AVENUE RIGHT OF WAY, BEING A PART OF LOT A AND ADJOINING LOT 4, J. BAMPF PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Roll Call Number**250993**Agenda Item Number**40**Date** July 14, 2025

Page 9

REFERRING TO NORTHEAST CORNER OF SAID LOT 4, THENCE SOUTH 89°(DEGREES) 52'(MINUTES) 11"(SECONDS) WEST, 76.70 FEET ON THE NORTH LINE OF SAID LOT 4; THENCE NORTH 00°21'10" EAST, 21.95 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°55'18" WEST, 16.08 FEET; THENCE NORTH 00°12'23" EAST, 5.83 FEET; THENCE NORTH 89°51'27" EAST, 16.09 FEET; THENCE SOUTH 00°21'10" WEST, 5.85 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

101-P1 INGERSOLL AVENUE AND 29TH STREET EASTBOUND

A PORTION OF VACATED INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 21, BLOCK 3, MCCAIN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE NORTH 82°(DEGREES) 42'(MINUTES) 50"(SECONDS) WEST, 28.45 FEET ON THE SOUTHERLY LINE OF SAID LOT 21; THENCE SOUTH 08°48'02" WEST, 23.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 08°48'02" WEST, 5.93 FEET; THENCE NORTH 82°46'27" WEST, 15.77 FEET; THENCE NORTH 07°11'51" EAST, 5.98 FEET; THENCE SOUTH 82°36'38" EAST, 15.94 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

101-P2 INGERSOLL AVENUE AND 29TH STREET WESTBOUND

A PORTION OF VACATED INGERSOLL AVENUE RIGHT OF WAY ADJOINING LOT 9, PARRIOT PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTH 82°(DEGREES) 42'(MINUTES) 50"(SECONDS) WEST, 28.15 FEET ON THE NORTHERLY LINE OF SAID LOT 9; THENCE NORTH 08°07'08" EAST, 23.16 FEET TO THE POINT OF BEGINNING; THENCE NORTH 82°50'23" WEST, 15.86 FEET; THENCE NORTH 07°31'20" EAST, 5.96 FEET; THENCE SOUTH 82°21'58" EAST, 15.92 FEET; THENCE SOUTH 08°07'08" WEST, 5.83 FEET TO THE POINT OF BEGINNING CONTAINING 94 SQUARE FEET.

173-01 6TH AVENUE AND INDIANA AVENUE NORTHBOUND

A PORTION OF VACATED 6TH AVENUE RIGHT-OF-WAY IN HEDGES' ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK C, PAGE 172 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ACQUISITION PLAT AS SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17728, PAGE 515 OF THE POLK COUNTY RECORDER; THENCE N00°20'32"E ALONG THE EAST LINE OF SAID ACQUISITION PLAT,



25-0993

40

Date July 14, 2025

Page 10

A DISTANCE OF 41.38 FEET; HENCE N89°39'28"W, A DISTANCE OF 1.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°39'28"W, A DISTANCE OF 7.00 FEET; THENCE N00°20'32"E, A DISTANCE OF 48.00 FEET; THENCE S89°39'28"E, A DISTANCE OF 7.00 FEET TO THE EAST LINE OF SAID ACQUISITION PLAT; THENCE S00°20'32"W ALONG THE EAST LINE OF SAID ACQUISITION PLAT, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-02 6TH AVENUE AND FOREST AVENUE SOUTHBOUND

A PORTION OF VACATED 6TH AVENUE RIGHT-OF-WAY IN GRAND PARK, AN OFFICIAL PLAT, AS RECORDED IN BOOK D, PAGE 2 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 24 OF SAID GRAND PARK; THENCE S00°05'23"E ALONG THE EAST LINE OF SAID LOT 24, A DISTANCE OF 39.03 FEET; THENCE S87°38'30"E, A DISTANCE OF 13.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S87°38'30"E, A DISTANCE OF 7.00 FEET; THENCE S02°21'30"W, A DISTANCE OF 48.00 FEET; THENCE N87°38'30"W, A DISTANCE OF 7.00 FEET; THENCE N02°21'30"E, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-03 6TH AVENUE AND FOREST AVENUE NORTHBOUND

A PORTION OF VACATED 6TH AVENUE RIGHT-OF-WAY IN GRAND PARK, AN OFFICIAL PLAT, AS RECORDED IN BOOK C, PAGE 202 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE ACQUISITION PLAT AS SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17930, PAGE 133 OF THE POLK COUNTY RECORDER; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID ACQUISITION PLAT, A DISTANCE OF 59.89 FEET TO THE SOUTHEAST CORNER OF SAID ACQUISITION PLAT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE ACQUISITION PLAT SHOWN IN THE WARRANTY DEED RECORDED IN BOOK 17844, PAGE 395 OF THE POLK COUNTY RECORDER; THENCE S00°04'06"E ALONG THE EAST LINE OF THE ACQUISITION PLAT SHOWN IN THE WARRANTY DEED RECORDED IN SAID BOOK 17844, PAGE 395, A DISTANCE OF 68.92 FEET; THENCE S89°55'54"W, A DISTANCE OF 5.67 FEET TO THE POINT OF BEGINNING; THENCE S00°04'06"E, A DISTANCE OF 48.00 FEET; THENCE S89°55'54"W, A DISTANCE OF 7.00 FEET; THENCE N00°04'06"W, A DISTANCE OF 48.00 FEET; THENCE N89°55'54"E, A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 336 SQUARE FEET.

173-08 EAST GRAND AVENUE AND EAST 4TH STREET WESTBOUND

A PORTION OF VACATED EAST GRAND AVENUE RIGHT-OF-WAY IN EAST FORT DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK A, PAGE 136 OF THE POLK



Roll Call Number

25-0993

Agenda Item Number

40

Date July 14, 2025

Page 11

COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 OF CITY CENTER PLAT 1, AN OFFICIAL PLAT, AS RECORDED IN BOOK Z, PAGE 75 OF THE POLK COUNTY RECORDER; THENCE N74°49'19"E ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 88.98 FEET; THENCE S15°10'41"E, A DISTANCE OF 11.22 FEET TO THE POINT OF BEGINNING; THENCE N74°49'19"E, A DISTANCE OF 37.00 FEET; THENCE S15°10'41"E, A DISTANCE OF 8.30 FEET; THENCE S74°49'19"W, A DISTANCE OF 37.00; THENCE N15°10'41"W, A DISTANCE OF 8.30 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 307 SQUARE FEET.

173-10 EAST GRAND AVENUE AND EAST 6TH STREET WESTBOUND

A PORTION OF VACATED EAST GRAND AVENUE RIGHT-OF-WAY IN EAST FORT DES MOINES, AN OFFICIAL PLAT, AS RECORDED IN BOOK A, PAGE 136 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 20 OF SAID EAST FORT DES MOINES; THENCE N74°18'55"E ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 23.59 FEET; THENCE S15°41'05"E, A DISTANCE OF 12.21 FEET TO THE POINT OF BEGINNING; THENCE N74°18'55"E, A DISTANCE OF 18.00 FEET; THENCE S15°41'05"E, A DISTANCE OF 9.00 FEET; THENCE S74°18'55"W, A DISTANCE OF 18.00 FEET; THENCE N15°41'05"W, A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 162 SQUARE FEET.

173-12 UNIVERSITY AVENUE AND 31ST STREET EASTBOUND

A PORTION OF VACATED UNIVERSITY AVENUE RIGHT-OF-WAY IN KINGMAN PLACE, AN OFFICIAL PLAT, AS RECORDED IN BOOK D, PAGE 137 OF THE POLK COUNTY RECORDER, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 18 OF SAID KINGMAN PLACE; THENCE S89°59'29"E ALONG THE NORTH LINE OF SAID LOT 18, A DISTANCE OF 31.33 FEET; THENCE N00°00'31"E, A DISTANCE OF 12.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°00'31"E, A DISTANCE OF 11.00 FEET; THENCE S89°59'29"E, A DISTANCE OF 35.00 FEET; THENCE S00°00'31"W, A DISTANCE OF 11.00 FEET; THENCE N89°59'29"W, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 385 SQUARE FEET.

Date July 14, 2025

Page 12

PE-1 UNIVERSITY AVENUE AND 42ND AVENUE WESTBOUND

THAT PART OF VACATED UNIVERSITY AVENUE RIGHT-OF-WAY LYING SOUTH OF LOT 1, REPLAT OF THE E 1/3 OF ERNHURST, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 5 OF SAID OFFICIAL PLAT; THENCE SOUTH 89°(DEGREES) 55'(MINUTES) 54"(SECONDS) EAST, 270.31 FEET; THENCE SOUTH 0°04'06" WEST, 5.28 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°55'54" EAST, 16.00 FEET; THENCE SOUTH 0°04'06" WEST, 6.00 FEET; THENCE NORTH 89°55'54" WEST, 16.00 FEET; THENCE NORTH 0°04'06" EAST, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 96 SQUARE FEET.

PE-2 UNIVERSITY AVENUE AND 42ND AVENUE EASTBOUND

THAT PART OF VACATED UNIVERSITY AVENUE RIGHT-OF-WAY LYING NORTH OF LOT 5, FAGEN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6 OF SAID OFFICIAL PLAT; THENCE SOUTH 89°(DEGREES) 55'(MINUTES) 54"(SECONDS) EAST, 233.93 FEET; THENCE NORTH 0°04'06" EAST, 11.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°04'06" EAST, 6.00 FEET; THENCE SOUTH 89°55'54" EAST, 16.00 FEET; THENCE SOUTH 0°04'06" WEST, 6.00 FEET; THENCE NORTH 89°55'54" WEST, 16.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 96 SQUARE FEET.

4. The Mayor is authorized and directed to sign the fifteen (15) Easements for Bus Shelter Encroachment on City-owned Property for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. 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 Easements, 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.
6. The Real Estate Division Manager is authorized and directed to forward the original of the Easements, together with a certified copy of this resolution and of the affidavit of publication of notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Easements and copies of the other documents to the grantee.
8. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



Roll Call Number

250993

Agenda Item Number

40

Date July 14, 2025

Page 13

Moved by Mandelbaum to adopt. Second by Simonson

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill, Assistant City Attorney

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

MOTION CARRIED

APPROVED

Connie Boren

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