

**Date** July 14, 2025

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**HOLD HEARING FOR VACATION OF SOUTHEAST 14<sup>TH</sup> COURT RIGHT-OF-WAY  
LOCATED NORTH OF EAST EDISON AVENUE**

**WHEREAS**, on June 9, 2025, by Roll Call No. 25-0822, the City Council of the City of Des Moines voted to receive and file a communication from the Plan and Zoning Commission regarding a City of Des Moines initiated request to vacate approximately 36,000 square feet of Southeast 14<sup>th</sup> Court right-of-way, which is to the north of East Edison Avenue, as legally described below, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated; and

**WHEREAS**, there is no known current or future public need or benefit for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated; and

**WHEREAS**, on June 30, 2025, by Roll Call No. 25-0914, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed vacation of the right-of-way 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

**WHEREAS**, due notice of said proposal to vacate the Southeast 14<sup>th</sup> Court right-of-way located north of East Edison Avenue, 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 vacation, 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:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed vacation of approximately 36,000 square feet of the Southeast 14<sup>th</sup> Court right-of-way located north of East Edison Avenue, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the right-of-way proposed to be vacated, and the public would not be inconvenienced by reason of the vacation of said right-of-way, legally described as follows, and said vacation is hereby approved, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

ALL OF THE SOUTHEAST 14<sup>TH</sup> COURT RIGHT OF WAY LYING EAST OF AND  
ADJOINING LOTS 13 THROUGH 24 IN BLOCK 8 OF SOUTH RIVERSIDE PARK,  
OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY



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25-0999

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OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING  
APPROXIMATELY 36,000 SQUARE FEET.

3. Upon final passage of an ordinance vacating said right-of-way and approval by resolution of this City Council, the City Clerk is authorized and directed to forward 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 said documents to be recorded.

Moved by Gatto to adopt. Second by Simonson.

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 Buesen

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