



Roll Call Number

25-1145

Agenda Item Number

40

Date August 18, 2025

**HOLD HEARING FOR VACATION OF THE NORTH/SOUTH ALLEY RIGHT-OF WAY
LOCATED EAST OF AND ADJOINING 715, 719, 723 AND 729 SW 63RD STREET AND
CONVEYANCE TO D. WRIGHT PROPERTIES, LLC FOR \$28,500**

WHEREAS, on May 19, 2025, by Roll Call No. 25-0732, the City Council of the City of Des Moines, Iowa voted to receive and file a communication from the City Plan and Zoning Commission to vacate approximately 3,817 square feet of the north/south alley right-of-way in the vicinity of 729 Southwest 63rd Street, which is within the block bounded by Winona Avenue to the south and Tonka Avenue to the north (hereinafter "Property"), subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City; and

WHEREAS, D. Wright Properties, LLC, owner of 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$28,500.00 for the Property to allow for assemblage with their adjoining properties, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the Property proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said Property; and

WHEREAS, on August 4, 2025 by Roll Call No. 25-1046 it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on August 18, 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 and convey the Property 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 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 the proposed vacation of the alley right-of-way located east of and adjoining 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, 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 alley right-of-way located east of and adjoining 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, legally described as follows, and said vacation is hereby approved:



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THE NORTH/SOUTH 16 FOOT ALLEY EAST OF AND ADJACENT TO LOTS 5-8
OF E. CALVERT'S ADDITION TO THE CITY OF DES MOINES, POLK COUNTY,
IOWA, CONTAINING 3817 SQUARE FEET

3. That the proposed conveyance of such vacated alley right-of-way, as legally described below, to D. Wright Properties, LLC for \$28,500.00, subject to reservation of easements therein, be and is hereby approved:

THE VACATED NORTH/SOUTH 16 FOOT ALLEY EAST OF AND ADJACENT TO
LOTS 5-8 OF E. CALVERT'S ADDITION TO THE CITY OF DES MOINES, POLK
COUNTY, IOWA, CONTAINING 3817 SQUARE FEET

4. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as 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 of the Quit Claim Deed, 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 Quit Claim Deed, together with 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 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 Quit Claim Deed 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.



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Moved by Mandelbaum 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	6			1

MOTION CARRIED

APPROVED

Connie Brown

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

Laura Baumgartner