



Roll Call Number

25-1153

Agenda Item Number

43

Date August 18, 2025

RESOLUTION CONTINUING PUBLIC HEARING FOR CONVEYANCE OF PROPERTY INTERESTS TO POLK COUNTY FOR IOWA CONFLUENCE WATER TRAILS PROJECT

WHEREAS, the City of Des Moines, Iowa ("City") is the owner of certain excess real estate locally known as 1550 Grays Parkway, Des Moines, Iowa, more particularly described below; and

WHEREAS, Polk County, Iowa ("Polk County") has agreed to acquire a portion of the afore-mentioned real property for no consideration in accordance with Iowa Code §364.7(3) for the public purpose of creating a public park and recreation area as part of the Iowa Confluence Water Trails project (hereinafter "Project"), subject to a permanent easement upon, over and within said real property for the continued use and maintenance of and the right of access to any existing utilities and flood protection levee improvements now in place; and

WHEREAS, Polk County has also requested the conveyance by the City of a Permanent Easement for River Infrastructure, a Permanent Easement for Public Ingress and Egress, a Permanent Easement for Storm Sewer and Surface Water Flowage, a Permanent Easement for Recreational Trail and a Temporary Easement for Construction and Construction-Related Activities, all on City-owned property, as legally described below (collectively with the above-described fee conveyance, "Property"), for no consideration in accordance with Iowa Code §364.7(3) for the public purpose of creating a public park and recreation area as part of the Project; and

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

WHEREAS, on July 14, 2025, by Roll Call No. 25-0975, 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 4, 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 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, additional time was requested by Polk County to negotiate, with the City Engineering Department and City Manager, an Agreement between Polk County and the City of Des Moines with Respect to Real Estate for the Central Iowa Water Trails Systems ("Agreement") setting forth the terms and conditions of said proposed conveyance, and thus a continuation of the public hearing to August 18, 2025 was required and was approved by City Council on August 8, 2025 pursuant to Roll Call No. 25-1080; and

WHEREAS, the parties thereafter have agreed that Polk County will submit the Agreement to its Board of Supervisors for approval prior to City Council consideration, which Board meeting is set for August 26, 2025, and which requires a further continuance of the City's public hearing to September 8, 2025.



Roll Call Number

25-1153

Agenda Item Number

43

Date August 18, 2025

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the public hearing for consideration of conveyance of the Property to Polk County as described above, be and is hereby opened and continued to September 8, 2025, at 5:00p.m. in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

Moved by Simonson to adopt.

Second by Voss.

APPROVED AS TO FORM:

/s/ Glenna K. Frank

Glenna K. Frank, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO				✓
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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

City Clerk