



Roll Call Number

25-1285

Agenda Item Number

23

Date September 29, 2025

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**SET HEARING FOR VACATION OF CB & Q STREET RIGHT-OF WAY BETWEEN
SE 25TH COURT AND SE 30TH STREET AND CONVEYANCE TO THE
DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY
FOR THE WRA TREATMENT FACILITY PLAN IMPROVEMENTS PROJECT**

WHEREAS, On September 8, 2025, by Roll Call No. 25-1205, 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 4.3 acres of the CB & Q Street right-of-way between SE 25th Court and SE 30th Street in the vicinity of 2901 CB & Q Street, to allow the vacated areas to be assembled for expansion of the wastewater reclamation authority facility (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, the Des Moines Metropolitan Wastewater Reclamation Authority (hereinafter "WRA"), owner of 2901 CB & Q Street, Des Moines, Iowa, has requested the City convey the Property in accordance with Iowa Code §364.7(3) to allow for assemblage with their adjoining property, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to an ingress/egress easement to allow the City to maintain and operate a City-owned pump station, and further subject to an easement for railroad purposes over a portion of the property until such time that the railroad operation ceases and no longer exists or the railroad tracks are removed; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating CB & Q Street right-of-way between SE 25th Court and SE 30th Street, legally described as follows:

ALL OF THE CB & Q STREET RIGHT OF WAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 25TH COURT AND THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 30TH STREET, AND ALSO LYING NORTHEAST OF THE NORTHEAST RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, SAID CB & Q STREET RIGHT OF WAY LIES WITH IN A PART OF CHESTERFIELD, AN OFFICIAL PLAT, AND IN A PART OF LARISON PLACE, AN OFFICIAL PLAT, AND IN A

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PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING LOTS 1 & 2 OF MARGARET TURNER ESTATE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 182,084 SQUARE FEET (4.18 ACRES).

2. The City Council of the City of Des Moines, Iowa, further proposes to convey the vacated CB & Q right-of-way located between SE 25th Court and SE 30th Street, as legally described below, to the Des Moines Metropolitan Wastewater Reclamation Authority at no cost in accordance with Iowa Code §364.7(3) for the public purpose of the WRA Treatment Facility Plan Improvements project, subject to reservation of easements therein, and further subject to an ingress/egress easement to allow the City access to maintain and operate a City-owned pump station, and further subject to an easement for railroad purposes over a portion of the property until such time that the railroad operation ceases and no longer exists or the railroad tracks are removed; and

ALL OF THE VACATED CB & Q STREET RIGHT OF WAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 25TH COURT AND THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 30TH STREET, AND ALSO LYING NORTHEAST OF THE NORTHEAST RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, SAID CB & Q STREET RIGHT OF WAY LIES WITH IN A PART OF CHESTERFIELD, AN OFFICIAL PLAT, AND IN A PART OF LARISON PLACE, AN OFFICIAL PLAT, AND IN A PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING LOTS 1 & 2 OF MARGARET TURNER ESTATE, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 182,084 SQUARE FEET (4.18 ACRES).

3. That the meeting of the City Council at which the adoption of said ordinance and the conveyance of such right-of-way is to be considered shall be on October 20, 2025, 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 hearing. Persons interested in the proposal will be given the opportunity to express their views at that hearing.
4. 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 the conveyance of this property.

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Moved by Gatto 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	7			

MOTION CARRIED

APPROVED

Connie Bosen 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