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**HOLD HEARING FOR VACATION OF THE NORTH/SOUTH AND EAST/WEST
ALLEY RIGHT-OF-WAY LOCATED IN THE VICINITY OF 1650 DEAN AVENUE AND
CONVEYANCE TO ADJOINING PROPERTY OWNERS FOR \$350.00**

WHEREAS, on April 21, 2025, by Roll Call No. 25-0626, the City Council of the City of Des Moines, Iowa voted to receive and file the recommendation from the City Plan and Zoning Commission that the "L"-shaped alley right-of-way in the vicinity of 1650 Dean Avenue, where the requested alley right-of-way is bound by East 17th Street to the east and an east/west alleyway to the north ("City Right-of-Way"), hereinafter more fully described, be vacated, 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, Greater Des Moines Habitat for Humanity, owner of 254 East 17th Street, has offered to the City of Des Moines ("City") the purchase price of \$100.00 for the vacation and purchase of the portion of alley right-of-way adjoining their property at 254 East 17th Street 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, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Guidner Properties, LLC, owner of 256 East 17th Street, has offered to the City the purchase price of \$25.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 256 East 17th Street 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, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Ganesh Gobin and Kamla Gobin, owners of 260 East 17th Street have offered to the City the purchase price of \$25.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 260 East 17th Street 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, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Sharmon Kiss and Charles Kiss, owners of 1654 Dean Avenue, have offered to the City the purchase price of \$50.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 1654 Dean Avenue 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, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Jenelle Lynn Patterson, owner of 1650 Dean Avenue has offered to the City the purchase price of \$25.00 for vacation and purchase of the portion of alley right-of-way adjoining her property at 1650 Dean Avenue for assemblage with her adjoining property, subject to the reservation of any



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necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Patricia Hernandez Garrido and Jorge Hernandez Guerrero, owners of 1646 Dean Avenue, have offered to the City the purchase price of \$50.00 for vacation and purchase of the portion of alley right-of-way adjoining their property at 1646 Dean Avenue 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, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, Eric McCann, owner of 1640 Dean Avenue, has offered to the City the purchase price of \$75.00 for vacation and purchase of the portion of alley right-of-way adjoining his property at 1640 Dean Avenue, for assemblage with his 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, 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 City Right-of-Way proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said property; and

WHEREAS, on September 8, 2025, by Roll Call No. 25-1210, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed vacation and conveyance of the alley right-of-way be set for hearing on September 29, 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 alley right-of-way was given 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 and conveyance of the alley right-of-way, as described herein, are hereby overruled and the hearing is closed.

2. There is no public need or benefit for the alley right-of-way proposed to be vacated, and the public would not be inconvenienced by reason of the vacation of the north/south and east/west alley right-of-



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way located in the vicinity of 1650 Dean Avenue, Des Moines, Iowa, legally described as follows, and said vacation is hereby approved:

ALL OF THE ALLEY RIGHT OF WAY IN REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 4,396 SQUARE FEET.

3. The proposed sale of portions of such vacated alley right-of-way, as legally described, and to the grantees and consideration identified below, together with payment by said grantee of the estimated publication and recording costs for this transaction, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated is hereby approved:

Grantee: Greater Des Moines Habitat for Humanity

Consideration: \$100.00

Legal Description:

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 4, AND

THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 3, AND

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING SAID LOT 3, AND

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING THE NORTH HALF (N 1/2) OF THE VACATED ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING SAID LOT 3,

ALL IN REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,855 SQUARE FEET.

Grantee: Guidner Properties, LLC

Consideration: \$25.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 2, REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 350 SQUARE FEET.



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Grantee: Ganesh Gobin and Kamla Gobin

Consideration: \$25.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 1, REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 350 SQUARE FEET.

Grantee: Sharmon Kiss and Charles Kiss

Consideration: \$50.00

Legal Description:

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 4, REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 406 SQUARE FEET.

Grantee: Jenelle Lynn Patterson

Consideration: \$25.00

Legal Description:

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 5, REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 336 SQUARE FEET.

Grantee: Patricia Hernandez Garrido and Jorge Hernandez Guerrero

Consideration: \$50.00

Legal Description:

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 6, REDHEAD PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 406 SQUARE FEET.

Grantee: Eric McCann

Consideration: \$75.00

Legal Description:

THE WEST HALF (W 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOT 7, -EXCEPT THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 6-, ALL IN REDHEAD PLACE, OFFICIAL PLAT, NOW

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INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,050 SQUARE FEET.

4. The Mayor is authorized and directed to sign the Offers to Purchase and Quit Claim Deeds for the conveyances 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 Deeds, 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 Deeds, 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 Deeds and copies of the other documents to the grantees.
8. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

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			

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.

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

Laura Baumgartner

Laura Baumgartner, City Clerk