

**Date** September 29, 2025

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**HOLD HEARING FOR VACATION OF MULTIPLE SEGMENTS OF STREET AND ALLEY  
RIGHT-OF WAY IN THE VICINITY OF EAST 19<sup>TH</sup> STREET AND HUBBELL AVENUE TO  
ALLOW THEM TO BE ASSEMBLED INTO ASHFIELD PARK**

**WHEREAS**, on August 18, 2025, by Roll Call No. 25-1117, 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 undeveloped right-of-way along the north, east and south perimeters of Ashfield Park, the segment of East 19<sup>th</sup> Street located between Hubbell Avenue and Maple Street, and an alley extending southeast from said street segment to Hubbell Avenue (hereinafter “Property”) to allow for incorporation into Ashfield Park; and

**WHEREAS**, as part of the City Plan and Zoning Commission review and recommendation to vacate the subject right-of-way, the City’s Police Department, Fire Department, and Engineering Department – Traffic & Transportation Division reviewed and determined that there was no need to retain the use of East 19<sup>th</sup> Street for emergency vehicle access when Hubbell Avenue is blocked by trains; and

**WHEREAS**, there is no known current or future public need for the Property 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 that they are abandoned or relocated, and further subject to an easement to provide access to the driveway for the property located at 1901 Burson Street, Des Moines, Iowa; and

**WHEREAS**, the vacated street and alley right-of-way will be dedicated as parkland, with dedication effective upon recording of the Ordinance with the Polk County Recorder.

**WHEREAS**, on September 8, 2025, by Roll Call No. 25-1211, 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 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 street and alley right-of-way 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 multiple segments of street and alley right-of-way in the vicinity of East 19<sup>th</sup> Street and Hubbell Avenue, as described herein, are hereby overruled and the hearing is closed.



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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, and further subject to an easement to provide access to the driveway for the property located at 1901 Burson Street, Des Moines, Iowa.

A PART OF EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 2 THROUGH 13 OF BLOCK 3 IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 14 IN SAID BLOCK 3; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 14 AND ALONG THE NORTH LINE OF LOT 3 IN THE OFFICIAL PLAT OF THE NE 1/4 OF SEC 2-T78-R24 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST 20.0 FEET OF SAID LOT 2; THENCE NORTH ALONG SAID SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID LOT 2; THENCE EAST ALONG THE SOUTH LINE OF SAID LOTS 2 THROUGH 13 TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE SOUTHERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID LOT 14 AND TO THE POINT OF BEGINNING,

AND

A PART OF EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 21 THROUGH 26 IN GOODE & LIKES' ADDITION TO DES MOINES, AN OFFICIAL PLAT, AND LYING NORTH OF AND ADJOINING LOTS 6 THROUGH 8 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 8, LOT 7 AND LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 21; THENCE CONTINUING WEST ALONG THE NORTH LINE OF SAID LOT 21 THROUGH SAID LOT 26 TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE WEST 60.0 FEET OF LOT 3 IN THE OFFICIAL PLAT OF THE NE 1/4 OF SEC 2-T78-R24; THENCE NORTH ALONG SAID SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID LOT 3; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 3 TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTHERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

AND



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A PART OF ALLEY RIGHT OF WAY LYING BETWEEN LOTS 8 AND 9 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 9; THENCE SOUTHEAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 9 TO THE SOUTHERLY CORNER OF SAID LOT 9; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHEASTERLY CORNER OF SAID LOT 8; THENCE NORTHWEST ALONG THE NORTHEASTERLY LINE OF SAID LOT 8 TO THE NORTHEASTERLY CORNER OF SAID LOT 8; THENCE NORTH ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

AND

A PART OF LYON STREET RIGHT OF WAY (PLATTED AS WILSON STREET) IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 9 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 9 TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF LOT 14 IN BLOCK 3 OF SAID SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 14 TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE SOUTH ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING,

AND

A PART OF LOT 1 IN THE OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24, SAID OFFICIAL PLAT BEING RECORDED IN BOOK F PAGE 29 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PART OF LOT 1 ALSO BEING A PART OF EAST 19<sup>TH</sup> STREET RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:



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BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 IN SAID OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 6 TO A LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF LOT 10 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, AND THE SOUTHEAST CORNER OF LOT 9 IN SAID HUBBELL AVENUE ADDITION; THENCE SOUTHWEST ALONG SAID LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF SAID LOT 10 AND THE SOUTHEAST CORNER OF SAID LOT 9 TO THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH ALONG SAID WESTERLY LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 6 TO THE POINT OF BEGINNING,

AND CONTAINING APPROXIMATELY 37,485 SQUARE FEET.

AND

A PART OF LYON STREET RIGHT OF WAY IN SUNNYSIDE ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, AND A PART OF THE ALLEY RIGHT OF WAY LYING SOUTHWEST OF AND ADJOINING LOTS 14, 16 THROUGH 20 IN HUBBELL AVENUE ADDITION, AN OFFICIAL PLAT, AND A PART OF LOT 1 IN THE OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF SECTION 2, TOWNSHIP 78, RANGE 24, SAID OFFICIAL PLAT BEING RECORDED IN BOOK F PAGE 29 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, SAID PART OF LOT 1 ALSO BEING A PART OF EAST 19<sup>TH</sup> STREET RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 IN SAID OFFICIAL PLAT OF A STRIP OF GROUND 100 FT WIDE, BEING 50 FT. ON EACH SIDE OF THE CENTERLINE OF A RIGHT OF WAY OF THE DES MOINES AND MINNEAPOLIS RAILROAD COMPANY AS FORMERLY LOCATED OVER THE FOLLOWING DESCRIBED PREMISES IN POLK COUNTY IOWA, TO WIT: LOTS "B" AND "C" OF THE SUBDIVISION OF LOT 2 OF THE OFFICIAL PLAT OF THE N.E. 1/4 OF

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SECTION 2, TOWNSHIP 78, RANGE 24; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 6 TO A LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF LOT 10 IN SAID HUBBELL AVENUE ADDITION, AND THE SOUTHEAST CORNER OF LOT 9 IN SAID HUBBELL AVENUE ADDITION; THENCE NORTHEAST ALONG SAID LINE RUNNING BETWEEN THE SOUTHEAST CORNER OF SAID LOT 10 AND THE SOUTHEAST CORNER OF SAID LOT 9 TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 10 TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH ALONG THE WEST LINE OF LOTS 10, 11 AND 22 IN SAID HUBBELL AVENUE ADDITION TO THE NORTH CORNER OF SAID LOT 22; THENCE SOUTHEAST ALONG THE NORTHEAST LINE OF LOT 22 AND LOT 13 TO THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTHEAST ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF SAID LOT 14; THENCE NORTHWEST ALONG THE SOUTHWEST LINE OF SAID LOTS 14, 16 THROUGH 20 TO THE WEST CORNER OF SAID LOT 20; THENCE NORTH ALONG THE WEST LINE OF LOTS 20 AND 21 IN SAID HUBBELL AVENUE ADDITION TO THE NORTH CORNER OF SAID LOT 21; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING,

AND CONTAINING APPROXIMATELY 31,602 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 the approved Ordinance, along 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 said documents to be recorded.
4. The vacated street and alley right-of-way is hereby dedicated as parkland, with dedication effective upon recording of the Ordinance with the Polk County Recorder.

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Moved by Gatto to adopt. Second by Westergaard.

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Mayor

**CERTIFICATE**

I, Laura L. 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 L. Baumgartner, City Clerk