



Roll Call Number

25-1423

Agenda Item Number

44

Date October 20, 2025

**HOLD 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; and

WHEREAS, on September 29, 2025 by Roll Call No. 25-1285 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 October 20, 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 and conveyance of street right-of-way, 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 street right-of-way proposed to be vacated, and the public would not be inconvenienced by reason of the vacation of CB & Q Street right-of-way between SE 25th Court and SE 30th Street, legally described as follows, and said vacation is hereby approved:

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 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 proposed conveyance of such vacated street right-of-way, 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, be and is hereby approved:

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).

4. The Mayor is authorized and directed to sign the Quit Claim Deed and Reservation of Easements for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of the Quit Claim Deed and Reservation of Easements, together with a certified copy of this resolution and of the affidavit of



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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 and Reservation of Easements, 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 Reservation of Easements and a copy of the other documents to the grantee.

8. There will be no proceeds associated with the conveyance of this property.

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 Bueren 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