

Date January 12, 2026

Page 1

**HOLD HEARING FOR VACATION OF A SEGMENT OF DES MOINES STREET
RIGHT-OF-WAY LOCATED WEST OF ROBERT D. RAY DRIVE**

WHEREAS, the City of Des Moines ("City) is preparing to sell the Armory Building located at 602 Robert D. Ray Drive, Des Moines, Iowa ("hereinafter "Property"); and

WHEREAS, on October 12, 1912, the City Council of the City of Des Moines, Iowa passed Ordinance No. 2038 vacating a portion, but not all of Des Moines Street right-of-way located immediately west of East First Street, now known as Robert D. Ray Drive; and

WHEREAS, when a current survey of the Property was completed, it was discovered that the remaining segment of Des Moines Street right-of-way located west of Robert D. Ray Drive will need to be vacated in order to clear title to the Property; and

WHEREAS, there is no known current or future public need or benefit for the right-of-way 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 as they may be abandoned or relocated; and

WHEREAS, on December 22, 2025, by Roll Call No. 25-1679, 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 January 12, 2026, 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 a segment of Des Moines Street right-of-way located west of Robert D. Ray Drive, 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 a segment of Des Moines Street right-of-way located west of Robert D. Ray Drive, as described herein, are hereby overruled and the hearing is closed.
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:

★ Roll Call Number
36-0076

Agenda Item Number
32

Date January 12, 2026

Page 2

DES MOINES STREET LYING BETWEEN BLOCKS 1 AND 2, EAST FORT DES MOINES (EXCEPT THE AREA PREVIOUSLY VACATED AS DESCRIBED IN ORDINANCE 2038).

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.

Moved by Mandelbaum to adopt.

Second by Gatto

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			
MOTION CARRIED				
			APPROVED	

Connie Boesen 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