

52C

Date December 23, 2013

DESIGNATION AND NAMING OF PRINCIPAL RIVERWALK AND MULTI-USE RECREATIONAL TRAIL AND DEDICATION OF PARKLAND ALONG DES MOINES RIVER

WHEREAS, the City owns and maintains the riverfront walkway and adjacent parkland, including improvements such as The Hub Spot, Iowa Women of Achievement Bridge, Long Look Gardens, and the Simon Estes Amphitheater, as shown on the attached Exhibit A, all located in downtown Des Moines along the Des Moines River; and

WHEREAS, on November 3, 2003, by Roll Call No. 03-2508, the City Council approved adoption of the Des Moines Riverfront Master Plan as a reference for the Des Moines 2020 Community Character Plan; and

WHEREAS, on April 25, 2005, by Roll Call No. 05-1062, the City Council approved a Chapter 28E Agreement between the City and the Des Moines Riverfront Development Authority for Planning, Constructing and Maintaining Riverfront Improvements in the Downtown Area for a 1.2 mile loop riverfront walkway along the Des Moines River, including a new pedestrian bridge at Center Street and the renovated railroad bridge south of Court Avenue and plazas and other public spaces (“the 28E Agreement”); and

WHEREAS, the 28E Agreement provides that such riverfront walkway including a new pedestrian bridge at Center Street and the renovated railroad bridge south of Court Avenue will be named the “Principal Riverwalk”; and

WHEREAS, the riverfront improvements have now been substantially completed; and

WHEREAS, although various improvements, such as The Hub Spot and the Iowa Women of Achievement Bridge, have been dedicated by the City Council as part of the Principal Riverwalk and most of the City-owned land in the vicinity of the Principal Riverwalk has been previously dedicated as parkland, it is in the best interests of the City to now clearly identify the riverfront walkway and improvements which comprise and are named the “Principal Riverwalk” and to clearly identify the boundaries of the parkland along the Des Moines River, as shown and described on the attached Exhibit A; and

WHEREAS, since the Principal Riverwalk improvements are now substantially completed, it will aid in enforcement of park and trail rules and ordinances and in the appropriate management of these public spaces to provide this clear designation of the Principal Riverwalk, the multi-use recreational trails, and the parkland along the Des Moines River; and

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WHEREAS, the U.S. Army Corps of Engineers has designated certain areas along the Des Moines River along the riverwalk as a flood control easement area, as established by the U.S. Army Corps of Engineers Final Right-of-Way Maps for The Principal Riverwalk, which said maps have been filed in the City Engineer's Office (Plan File Nos. 513-31/51).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the riverfront walkway and improvements shown and described in the attached Exhibit A be and are hereby named and to be known as "Principal Riverwalk" and that the City-owned public land shown in Exhibit A be and is hereby dedicated for use as parkland and to be known and named "Riverwalk Park". No previously dedicated right-of-way shall be considered as parkland by this parkland dedication.

BE IT FURTHER RESOLVED that the trail portion of the Principal Riverwalk on the west side of the Des Moines River, the Iowa Women of Achievement Bridge, and the trail on the east side of the river to the north of the Iowa Women of Achievement Bridge, as shown on the attached Exhibit A, is hereby accepted and approved as part of the Multi-Use Recreational Trails Maps.

BE IT FURTHER RESOLVED that all such parkland and Multi-Use Recreational Trail uses shall be subordinate to all existing right-of-way and public utilities currently in place and the flood control easement shown on the U. S. Army Corps of Engineers Final Right-of-Way Maps for The Principal Riverwalk. The areas of multi-use trail dedication, including those trail areas which run under street right-of-way, do not constitute park or trail dedication within existing right-of-way.

(Exhibit A attached)

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MOORE				
VOSS				
TOTAL				

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, DIANE RAUH, 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.

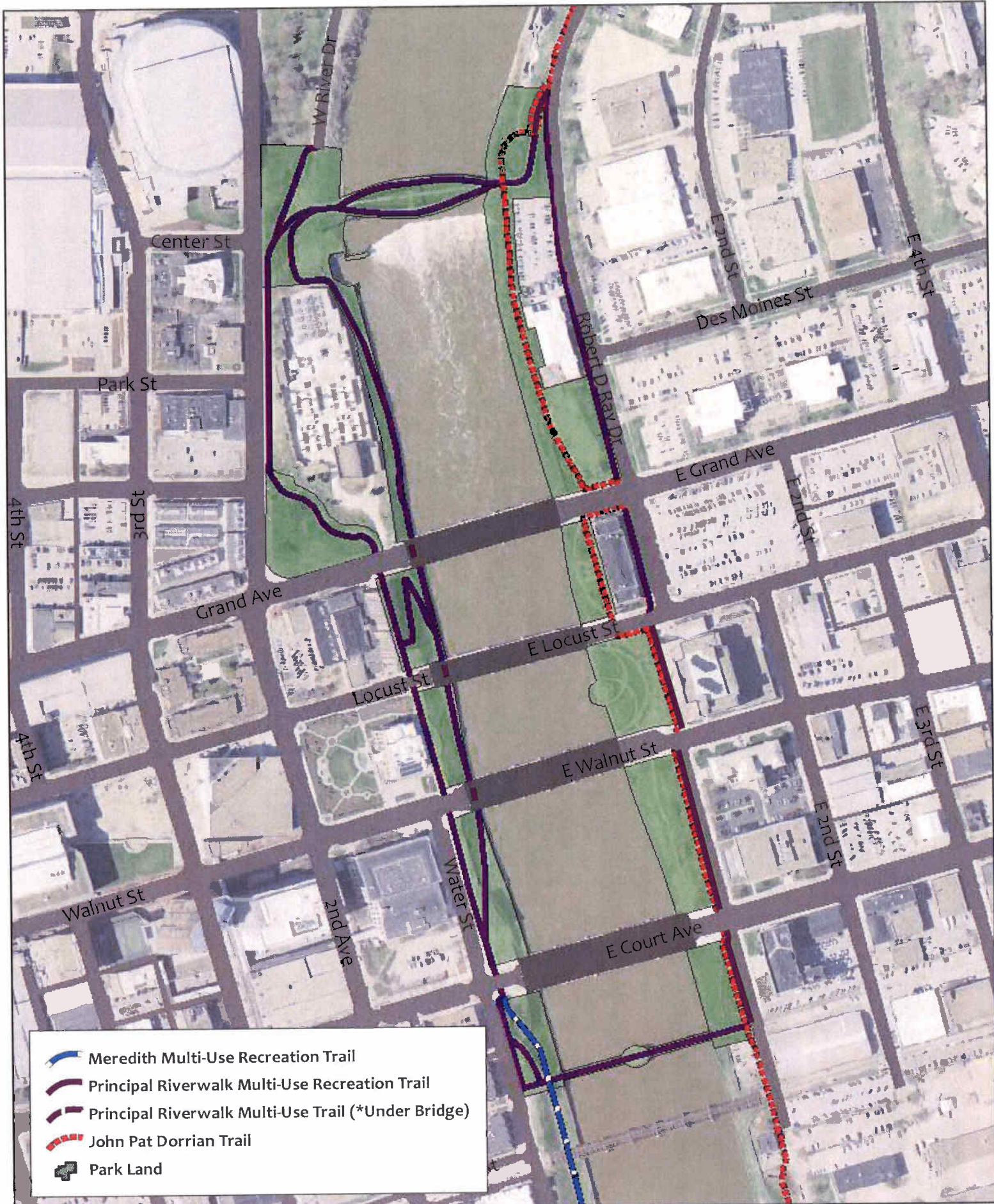
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# Exhibit A

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\*Trail areas which run under street right-of-way, do not constitute park or trail dedication within existing right-of-way.