



SET HEARING FOR VACATION OF A SEGMENT OF LITTELL AVENUE RIGHT-OF-WAY LOCATED BETWEEN FLEUR DRIVE AND ARMY POST ROAD

WHEREAS, on January 25, 2024, the City of Des Moines closed on the voluntary acquisition of 2302 Littell Avenue for the use and benefit of the Des Moines Airport Authority; and

WHEREAS, prior to the acquisition, Littell Avenue west of Fleur Drive served only as a driveway access to 2302 Littell Avenue and is no longer needed for right-of-way purposes; and

WHEREAS, the Des Moines Airport Authority has requested the vacation of the Littell Avenue right-of-way from west of Fleur Drive to its terminus at the east right-of-way line of Army Post Road subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated, which request was not presented to the City’s Plan and Zoning Commission for review and has instead been determined by the City Traffic Engineer to have no significant impact upon the public use of the right-of-way, in accordance with Municipal Code 102-286(b); 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating Littell Avenue right-of-way from west of Fleur Drive to its terminus at the east right-of-way line of Army Post Road, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

ALL THAT PART OF LOT B (LITTELL AVENUE RIGHT OF WAY) LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF ARMY POST ROAD AND LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 41.0 FEET OF LOT 14, ALL IN WAKONDA HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 40,886 SQUARE FEET.

2. That the meeting of the City Council at which the proposed vacation of said right-of-way and adoption of said ordinance are to be considered shall be on March 18, 2024, said hearing to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. Persons interested in the proposal will be given the opportunity to express their views at that hearing.



Roll Call Number

24-0332

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3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

Moved by Gatto to adopt.

Second by Voss.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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