

★ **Roll Call Number**

**Agenda Item Number**

14

.....  
**Date** January 7, 2008

**RESOLUTION APPROVING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED  
FOR VACATED PROPERTY ADJOINING 3606 EAST 39<sup>TH</sup> STREET TO GEORGE  
AND CARRIE SMITH**

**WHEREAS**, by Ordinance No. 8549 passed March 5, 1973, the City of Des Moines vacated Lot C, "HIGHMOOR", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa ("the Vacated Property"), including that portion thereof more specifically described below; and

**WHEREAS**, on April 16, 1973, by Roll Call 1707, the City of Des Moines approved the sale of the South half of the Vacated Property to Herbert V. Smith, as owner of the adjoining property located at 3606 East 39<sup>th</sup> Street, for \$50.00, but the deed for this property conveyance was not recorded; and

**WHEREAS**, George and Carrie Smith are the heir successors of Herbert V. Smith and the current owners of the property located at 3606 East 39<sup>th</sup> Street, which adjoins the South half of the Vacated Property previously conveyed to Herbert V. Smith; and

**WHEREAS**, George and Carrie Smith have requested the City issue a Replacement Quit Claim Deed for the South half of the Vacated Property.

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

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the following described portion of vacated Lot C, "HIGHMOOR", an Official Plat, to George and Carrie Smith, is hereby approved:

**The South ½ of Lot C, "HIGHMOOR", an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (vacated by Ordinance No. 8549, passed March 5, 1973).**

2. The Mayor is hereby authorized and directed to sign the Replacement Quit Claim Deed on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.

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- 3. The City Clerk is further authorized and directed to forward the original of the deed and a certified copy of this Resolution to the Real Estate Department for recording and subsequent release to the grantee.

MOVED by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Glenna K. Frank*  
 Glenna K. Frank,  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

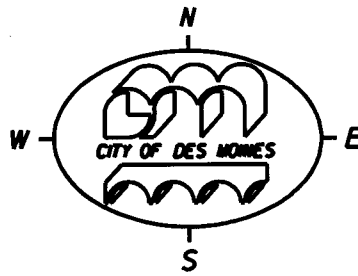
MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

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



**PROJECT  
LOCATION**



**GENERAL DISPOSITION  
ALLEY BETWEEN LOTS 38 & 39  
AT E. 39TH STREET**