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Date March 12, 2007

SET HEARING FOR THE VACATION AND CONVEYANCE OF THE WEST 16.5 FEET OF SOUTH UNION STREET ADJOINING 5 PARK AVENUE TO JOHN EIDBO AND PAUL EIDBO IN EXCHANGE FOR EASEMENTS NEEDED FOR THE CRAWFORD CREEK WATERSHED IMPROVEMENT PROJECT

WHEREAS, on February 26, 2007, by Roll Call No. 07-343, the City Council adopted a recommendation from the City Plan and Zoning Commission that the West 16.5 feet of South Union Street adjoining 5 Park Avenue, hereinafter more fully described, be vacated and conveyed to the adjoining property owners; and

WHEREAS, the grantees identified below are the owners of property abutting such right-of-way and have agreed to grant the City of Des Moines a Permanent Easement for Storm Sewer and Surface Water Flowage, along with a Temporary Easement for Construction, across their property at 5 Park Avenue, in exchange for the vacation and purchase of the portion of such right-of-way described below.

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the West 16.5 feet of South Union Street adjoining 5 Park Avenue, more specifically described as follows:

Except the South 15.0 feet, the West 16.5 feet of the East 33.5 feet of Lot 1, Smith and McClurg's Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines proposes to convey such right-of-way, as described below, to John Eric Eidbo and Paul Howard Eidbo in exchange for easements needed for the Crawford Creek Watershed Improvement Project:

Except the South 15.0 feet, the vacated West 16.5 feet of the East 33.5 feet of Lot 1, Smith and McClurg's Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the meeting of the City Council at which the adoption of said ordinance and the conveyance of such real estate is to be considered shall be on March 26, 2006, said meeting to be held at 5:00 p.m., in the Council Chamber.

DESCRIPTION REVIEWED
3/12/07 1330
[Signature]

★ Roll Call Number

Agenda Item Number

22

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4. 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.

5. The value of this property is estimated to be \$1,240 and will be applied towards the City's purchase price of \$2,660 for the aforementioned easements, required for the Crawford Creek Watershed Improvement Project. Therefore, there will be no proceeds associated with the conveyance of this property.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

Rau

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

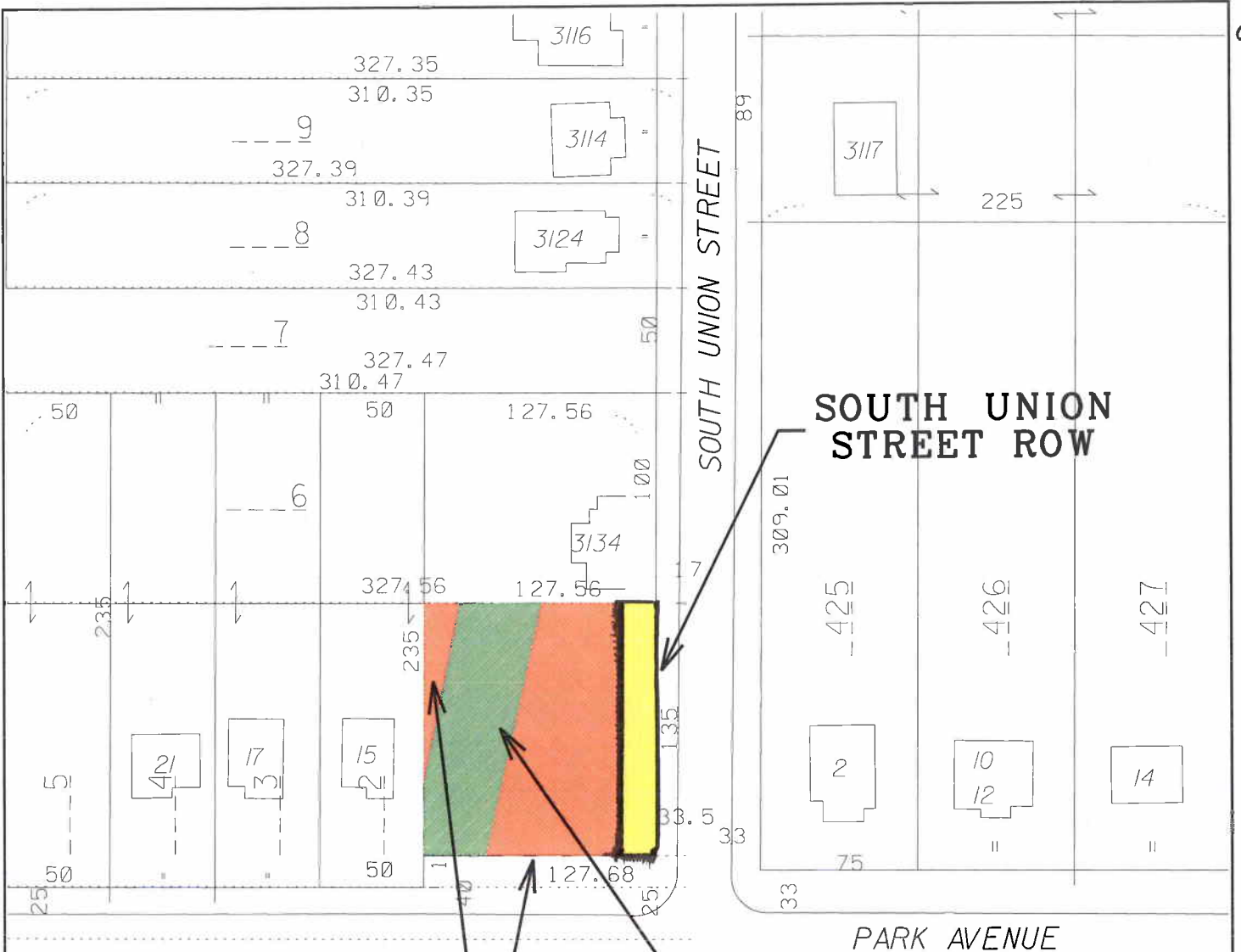
CERTIFICATE

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.

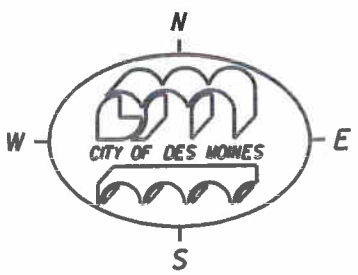
City Clerk

Mayor



TEMPORARY EASEMENT

PERMANENT EASEMENT



**CRAWFORD CREEK WATERSHED
 PARK AND SOUTH UNION
 ACTIVITY I.D. 34-2007-041**

REGISTER
ORDER NO. _____ ROLL CALL LEGAL BULLETIN BOARD
FOLLOW-UP

NOTICE OF PROPOSAL TO VACATE AND CONVEY RIGHT-OF-WAY

NOTICE IS HEREBY GIVEN, that the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the West 16.5 feet of South Union Street adjoining 5 Park Avenue, more specifically described as follows:

Except the South 15.0 feet, the West 16.5 feet of the East 33.5 feet of Lot 1, Smith and McClurg's Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

NOTICE IS FURTHER GIVEN, that the City Council has adopted a resolution relating to a proposal to convey such right-of-way, as described below, to John Eric Eidbo and Paul Howard Eidbo, in exchange for easements needed for the Crawford Creek Watershed Improvement Project, if the City Council first decides to vacate such right-of-way:

Except the South 15.0 feet, the vacated West 16.5 feet of the East 33.5 feet of Lot 1, Smith and McClurg's Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

NOTICE IS FURTHER GIVEN, that the City Council will consider the adoption of the proposed vacation ordinance and approval of the proposed conveyance after a public hearing to be held at 5:00 p.m., in the Council Chamber, 400 Robert D. Ray Drive, Des Moines, Iowa, on March 26, 2006.

Copies of the proposed ordinance are available at the office of the City Clerk, City Hall, Des Moines, Iowa. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

PUBLISHED IN THE DES MOINES REGISTER ON _____.

DESCRIPTION REVIEWED
[Signature]
3/10/07 13:32