

Date March 12, 2007

HOLD HEARING FOR THE CONVEYANCE OF THE PREVIOUSLY VACATED WEST 30 FEET OF 59TH STREET AND THE NORTH 30 FEET OF INGERSOLL AVENUE, BETWEEN WALNUT HILL AVENUE AND 56TH STREET, TO ADJOINING PROPERTY OWNERS FOR \$2,250

WHEREAS, on April 21, 1986, by Roll Call 86-1744, the City Council approved Ordinance No. 10,788 vacating the West 30.0 feet of 59th Street right-of-way and the North 30.0 feet of Ingersoll Avenue right-of-way between Walnut Hill Avenue and 56th Street; and

WHEREAS, the owners of property abutting such vacated rights-of-way have offered to the City of Des Moines the purchase price listed below for the purchase of such property, more specifically described below; and

WHEREAS, on February 26, 2007, by Roll Call No. 07-344, it was duly resolved by the City Council that the proposed conveyance of the vacated West 30.0 feet of 59th Street and the vacated North 30.0 feet of Ingersoll Avenue, be set down for hearing on March 12, 2007, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this public real property was given 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 this proposed conveyance, 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, the objections to the proposed conveyance of this property, as described below, are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property to the grantees and for the consideration more specifically described as follows:

To: Jack T. and Eileen K. Britton for \$100

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 51, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
[Signature]
3/21/07 12:33

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To: Stephen R. and Dawn I. Eckley for \$200

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lots 52 and 53, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Jennifer J. Townsend for \$100

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 54, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Bradford J. and Sally S. Barrett for \$100

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 55, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Joseph D. and Janet H. Keefer for \$100

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 56, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: John F. and Jane M. Hallman for \$50

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 57, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To Michael W. and Donna Lee Otis for \$50

The West 30.0 feet of vacated 59th Street right-of-way lying East of and adjoining Lot 58, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Jeffrey G. Fleming and Carrie E. Marshburn-Fleming for \$50

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying southerly of the South lot line of Lot 59, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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To: Amy L. Miracle for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 60, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Jeffrey L. and Elizabeth J. Mills for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 61, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Barbara J. Cortesio, Trustee of the Barbara J. Cortesio Revocable Trust for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 62, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: James J. and Bonnie J. Graeber for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 63, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Cathy L. Mansfield for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 64, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Mary E. Leonard for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 65, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Gerald E. and Bonnie J. Critz for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 66, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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3/12/07 12:30

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To: Bradley R. and Lacey M. Hanchak for \$1

The South 1.0 foot of the North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 67, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Scott M. Olson for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 68, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Shannon L. Cofield for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 69, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: James W. Hughes for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 70, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: David L. and Joyce G. McSorley for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 71, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Carol A. Curnes for \$150

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 72, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Richard J. and Paula L. Bennett for \$150

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 73, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
[Signature]
3/20/07 10:26

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Date March 12, 2007

To: U.S. Bank, as Trustee of the Roberta W. Lee Trust for \$100

The North 30.0 feet of vacated Ingersoll Avenue right-of-way lying South of and adjoining Lot 74, Waterbury Circle, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the sale and conveyance of such rights-of-way to the buyers and for the consideration described above, together with payment by such grantees of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Quit Claim Deeds for the conveyances as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the originals of said Deeds, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
6. The Real Estate Division Manager is authorized and directed to forward the originals of the Deeds, together 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 these documents to be recorded.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the originals of the Deeds and copies of the other documents to the grantees.
8. The proceeds from the sale of this property will be deposited into the following account: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767.

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(Council Communication No. 07-129)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

BSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

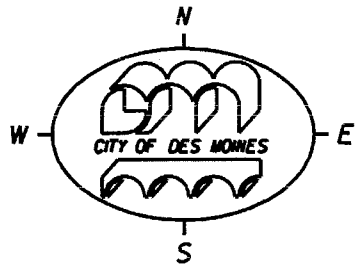
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk



PROPERTY
LOCATION



PROPERTY DISPOSITION

ACTIVITY I.D. 34-2007-034