



Roll Call Number

Agenda Item Number

31

Dispositions – Des Moines Public Schools: Page 1

Date March 20, 2006

**SET HEARING TO CORRECT SCRIVENER'S ERROR
ON THE VACATION AND CONVEYANCE OF CITY-OWNED
STREET AND ALLEY RIGHTS-OF-WAY LOCATED ADJACENT
TO AND IN THE VICINITY OF 1101 EAST 6TH STREET TO DES MOINES
INDEPENDENT COMMUNITY SCHOOL DISTRICT**

WHEREAS, on February 20, 2006, by Roll Call No. 06-385, after notice and public hearing, the City Council intended to approve the vacation and conveyance of City-owned street and alley rights-of-way adjacent to and in the vicinity of 1101 East 6th Street, but said Roll Call contained an error in the legal description, due to a scrivener's error; and

WHEREAS, on September 26, 2005, by Roll Call No. 05-2328, the City Council adopted a recommendation from the City Plan and Zoning Commission that the street and alley rights-of-way adjacent to and in the vicinity of 1101 East 6th Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantee identified below is the owner of property abutting such rights-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of such real property.

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 street and alley rights-of-way adjacent to and in the vicinity of 1101 East 6th Street, more specifically described as follows:

DESCRIPTION APPROVED
[Signature]
3/20/06 07:04

All that part of East Seventh Street right-of-way lying South of the westerly extension of the South right-of-way line of East University and lying North of the westerly extension of the South right-of-way line of Filmore Street, and all that part of Filmore Street right-of-way lying West of the southerly extension of the West right-of-way line of Pennsylvania Avenue and lying East of the southerly extension of the East right-of-way line of East Seventh Street, and all that part of Pine Street right-of-way lying West of and adjoining Lots 6 thru 10, James Hall's Subdivision, an Official Plat, and all that part of the North/South alley right-of-way East of and adjoining said Lots 6 thru 10, and all of the North/South alley right-of-way lying East of and adjoining Lots 11 thru 15, and all of the North/South alley right-of-way lying East of and adjoining Lot 18, and the vacated East/West alley right-of-way being the South 16.0 feet of Lots 16, 17 and 18, and all of the East/West alley right-of-way lying North of and adjoining Lots 8 thru 10, all in James Hall's Second Subdivision, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

.....
Date March 20, 2006.....

2. That if the City Council decides to vacate the above described rights-of-way, the City of Des Moines proposes to sell such rights-of-way, as described below to the grantees and for the consideration identified below:

To: Des Moines Independent Community School District for \$3,200.00

All of the vacated street and alleys further described as: All that part of East Seventh Street right-of-way lying South of the westerly extension of the South right-of-way line of East University and lying North of the westerly extension of the South right-of-way line of Filmore Street, and all that part of Filmore Street right-of-way lying West of the southerly extension of the West right-of-way line of Pennsylvania Avenue and lying East of the southerly extension of the East right-of-way line of East Seventh Street, and all that part of Pine Street right-of-way lying West of and adjoining Lots 6 thru 10, James Hall's Subdivision, an Official Plat, and all that part of the North/South alley right-of-way East of and adjoining said Lots 6 thru 10, and all of the North/South alley right-of-way lying East of and adjoining Lots 11 thru 15, and all of the North/South alley right-of-way lying East of and adjoining Lot 18, and the vacated East/West alley right-of-way being the South 16.0 feet of Lots 16, 17 and 18, and all of the East/West alley right-of-way lying North of and adjoining Lots 8 thru 10, all in James Hall's Second Subdivision, 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 sale and conveyance of such real estate is to be considered shall be on April 10, 2006, said meeting to be held at 5:00 p.m., in the Council Chamber.

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 proceeds from the sale of this property shall be deposited into the following account: 2005-2006 Operating Budget, Page 350, Property Management Endowment Fund, PKS161625.

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Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
BROOKS				
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

05-4708
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Interest from Des Moines Public Schools (Owner) 1101 East 6 th Street represented by Duane Van Hemert (Officer) for vacation and conveyance of the following streets and alleys:		File # 11-2005-1.30			
1. East 7 th Street from East University Avenue to Filmore Street. 2. Pine Street from East University Avenue to Filmore Street. 3. Filmore Street from East 7 th Street to Pennsylvania Avenue. 4. All intervening alley rights-of-way bounded by East University Avenue, Fremont Street, Pennsylvania Avenue, and East 7 th Street.					
Description of Action	Vacate and convey subject property for redevelopment of the Longfellow Elementary School.				
2020 Community Character Plan	Low-Density Residential and Public/Semi-Public.				
Horizon 2025 Transportation Plan	Widen Pennsylvania Avenue from 2-lane undivided to 4-lane undivided from East University Avenue to East 6 th Street.				
Current Zoning District	"C-2 General Retail and Highway-Oriented Commercial and "R1-60" One-Family Low-Density Residential District.				
Proposed Zoning District	"PUD" Planned Unit Development.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	2	0	0	N/A	
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Longfellow School - 1101 E 6th Street

11-2005-1.30

