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Date April 10, 2006

HOLD HEARING FOR THE CONVEYANCE OF THE REMAINING VACATED EAST/WEST ALLEY BETWEEN 27TH AND 28TH STREETS SOUTH OF COTTAGE GROVE TO TERRI A. FRISTO FOR \$50.00 AND TO PABLO CERDA-FERNANDEZ AND SARA R. CERDA FOR \$75.00

WHEREAS, on March 20, 2006, by Roll Call No. 06- 526, it was duly resolved by the City Council that the proposed conveyance of the remaining vacated east/west alley between 27th and 28th Streets, south of Cottage Grove, be set down for hearing on April 10, 2006, 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 the remaining vacated east/west alley between 27th and 28th Streets, south of Cottage Grove, more specifically described as follows:

To: Terri A. Fristo for \$50.00

The North ½ of vacated East/West alley right-of-way lying South of and adjoining Lot 2, of the Subdivision of Lots 263, 264 and 265, University Land Co's 1st Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(Vacated by Ordinance No. 14,111, passed June 17, 2002.)

To: Pablo Cerda-Fernandez and Sara R. Cerda for \$75.00

The South ½ of vacated East/West alley right-of-way lying North of and adjoining the East ½ of Lot 266, University Land Co's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(Vacated by Ordinance No. 14,111, passed June 17, 2002.)

DESCRIPTION APPROVED
[Handwritten signature]
3/13/06 O.P.F.

★ Roll Call Number

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3. That the sale and conveyance of such right-of-way to Terri A. Fristo for \$50.00 and to Pablo Cerda-Fernandez and Sara R. Cerda for \$75.00, together with payment by such grantees of the estimated publication and recording costs for these transactions, be and is hereby approved.
4. The Mayor is authorized and directed to sign the 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 original of these 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: 2006-2007 Operating Budget: Special Revenue Funds – Property Maintenance SP767, PKS161625, Page 310.

(Council Communication No. 06-184)

Moved by _____ to adopt.

APPROVED AS TO FORM:



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