

Date April 21, 2008

SET HEARING FOR VACATION AND CONVEYANCE OF 18TH STREET BETWEEN CARPENTER AVENUE AND KEOSAUQUA WAY TO ADJOINING PROPERTY OWNERS FOR \$2,064

WHEREAS, on March 24, 2008, by Roll Call No. 08-485, the City Council adopted a recommendation from the City Plan and Zoning Commission that 18th Street between Carpenter Avenue and Keosauqua Way, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantees identified below are the owners of property abutting such right-of-way and have offered to the City of Des Moines the purchase price identified below 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 18th Street between Carpenter Avenue and Keosauqua Way more specifically described as follows:

All that part of 18th Street right-of-way lying West of and adjoining Lot 12, Garden Addition, 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 sell such right-of-way, as described below to the grantees and for the consideration identified below:

To: Kenoyer and Associates, L.L.C. for \$ 864.00

All that part of vacated East 1/2 of 18th Street right-of-way lying West of and adjoining the North 99.0 feet of Lot 12, Garden Addition, an Official Plat, and all of Vacated 18th Street right-of-way lying West of and adjoining the South 63.0 feet of said Lot 12, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Subject to driveway Access for property at 1720 Carpenter Avenue, and subject to any utilities now in place.

To: Aterra 3, 1901 Carpenter, DSM, L.L.C. for \$1,200.00

All of the West 1/2 of vacated 18th Street right-of-way lying West of North 99.0 feet of the East 1/2 of Vacated 18th Street right-of-way lying West of and adjoining the North 99.0 feet of Lot 12, Garden

DESCRIPTION REVIEWED [Signature] 4/16/08 09:30

★ **Roll Call Number**

Agenda Item Number

25

Dispositions: Page 2

Date April 21, 2008

Addition, 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 May 5, 2008, 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: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

PTW

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

MOTION CARRIED

APPROVED

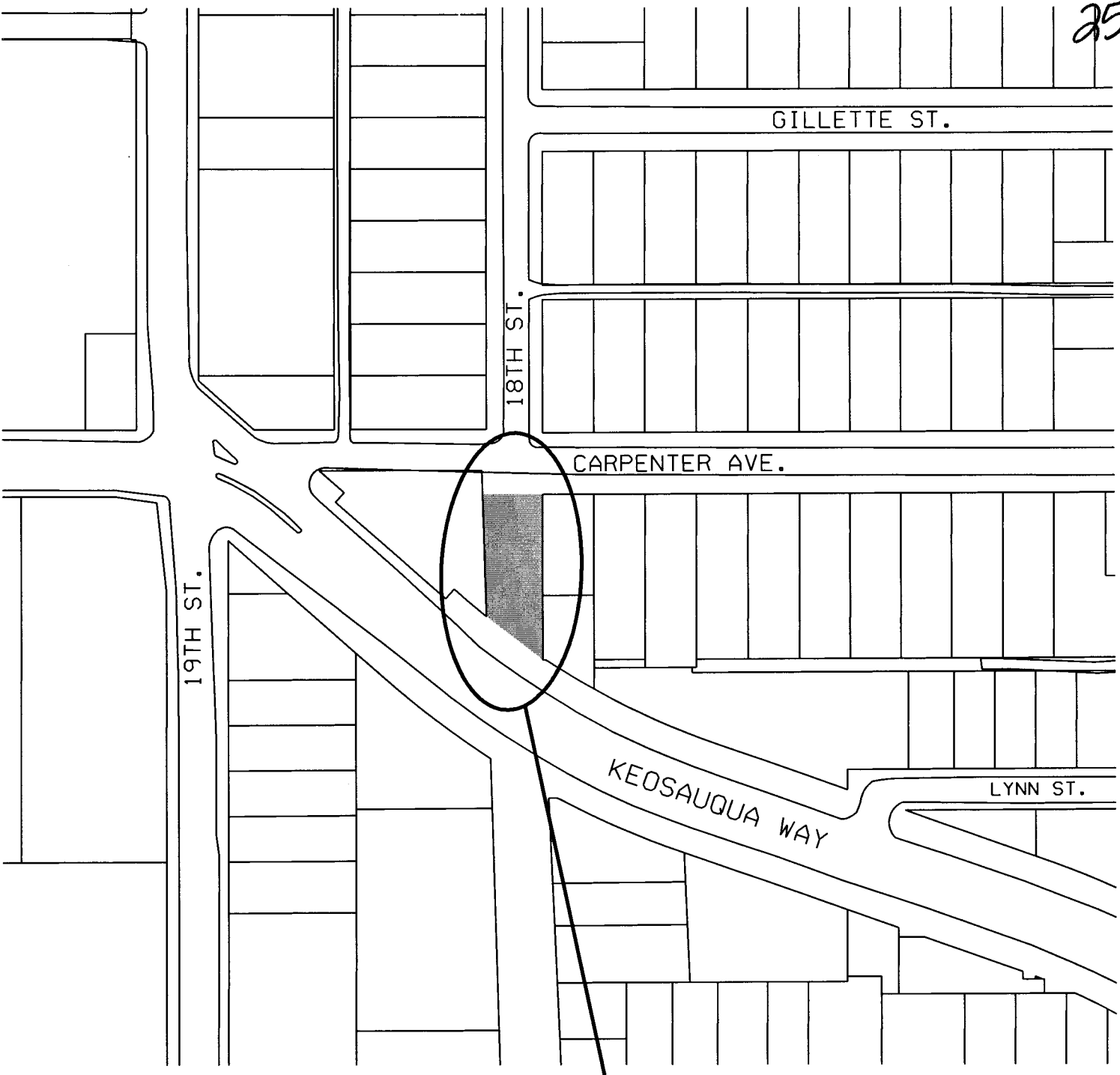
Mayor

CERTIFICATE

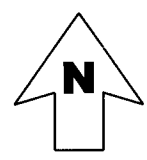
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk



PROJECT LOCATION



18TH STREET
RIGHT-OF-WAY
VACATION
34-2008-043