

Date April 23, 2007

SET HEARING FOR THE VACATION AND CONVEYANCE OF THE NORTH/SOUTH ALLEY BETWEEN 8TH STREET AND 9TH STREET, FROM CROCKER STREET TO CENTER STREET, AND A PORTION OF 9TH STREET RIGHT-OF-WAY BETWEEN CROCKER STREET AND CENTER STREET TO PRINCIPAL LIFE INSURANCE COMPANY FOR \$58,750

WHEREAS, on December 17, 2001, by Roll Call 01-3717, the City Council adopted a recommendation from the City Plan and Zoning Commission to vacate and convey the North/South alley between 8th Street and 9th Street, from Crocker Street to Center Street, hereinafter more fully described; and

WHEREAS, the City Plan and Zoning Commission has considered and recommended conditional approval for the vacation and conveyance of a portion of 9th Street right-of-way between Crocker Street and Center Street, hereinafter more fully described, at their meeting on April 19, 2007, and on May 7, 2007, the City Council will receive and file the Plan and Zoning Commission’s report and recommendation, prior to proceeding with the public hearing for the sale of this property; 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 the portion of such rights-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 North/South alley between 8th Street and 9th Street, from Crocker Street to Center Street, and a portion of 9th Street right-of-way between Crocker Street and Center Street, more specifically described as follows:

DESCRIPTION REVIEWED
[Signature]
4/16/07 15:47

All of the North/South alley right-of-way lying West of and adjoining Lots 28 through 36, Geo. Sneer’s Subdivision, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 0.22 acres (9,508 S.F.).

And

A part of 9th Street right-of-way between Crocker and Center Streets in the City of Des Moines, Polk County, Iowa and described as follows:

Commencing at the Northwest corner of Lot 1 in Block “0” of Holcomb’s Addition, an Official Plat; thence South 0°(Degrees) 30’(Minutes) 56”(Seconds)

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West along the West line of said Block "0", 413.60 feet; thence South 7°10'11" East, 15.00 feet to the point of beginning; thence continuing South 7°10'11" East, 37.38 feet; thence South 13°52'34" East, 133.50 feet to a point on the North right-of-way line of Center Street; thence North 89°18'26" West along the North right-of-way line of Center Street extended, 16.69 feet; thence North 42°04'53" West, 27.75 feet; thence North 5°45'43" West, 35.53 feet; thence North 0°08'11" East, 81.76 feet; thence North 3°55'45" East, 28.85 feet to the point of beginning and containing 0.06 acres (2,752 S.F.).

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 grantee and for the consideration identified below:

To: Principal Life Insurance Company for \$58,750

All of the vacated North/South alley right-of-way lying West of and adjoining Lots 28 through 36, Geo. Sneer's Subdivision, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 0.22 acres (9,508 S.F.).

And

A part of vacated 9th Street right-of-way between Crocker and Center Streets in the City of Des Moines, Polk County, Iowa and described as follows:

Commencing at the Northwest corner of Lot 1 in Block "0" of Holcomb's Addition, an Official Plat; thence South 0°(Degrees) 30'(Minutes) 56"(Seconds) West along the West line of said Block "0", 413.60 feet; thence South 7°10'11" East, 15.00 feet to the point of beginning; thence continuing South 7°10'11" East, 37.38 feet; thence South 13°52'34" East, 133.50 feet to a point on the North right-of-way line of Center Street; thence North 89°18'26" West along the North right-of-way line of Center Street extended, 16.69 feet; thence North 42°04'53" West, 27.75 feet; thence North 5°45'43" West, 35.53 feet; thence North 0°08'11" East, 81.76 feet; thence North 3°55'45" East, 28.85 feet to the point of beginning and containing 0.06 acres (2,752 S.F.).

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 7, 2007, said meeting to be held at 5:00 p.m., in the Council Chamber.

DESCRIPTION REVIEWED
[Signature]
4/16/07 15:12:23

★ Roll Call Number

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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 proceeds from the sale of this property shall be deposited into the following account: 2007-08 Operating Budget, Page 255, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato
 Assistant City Attorney

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

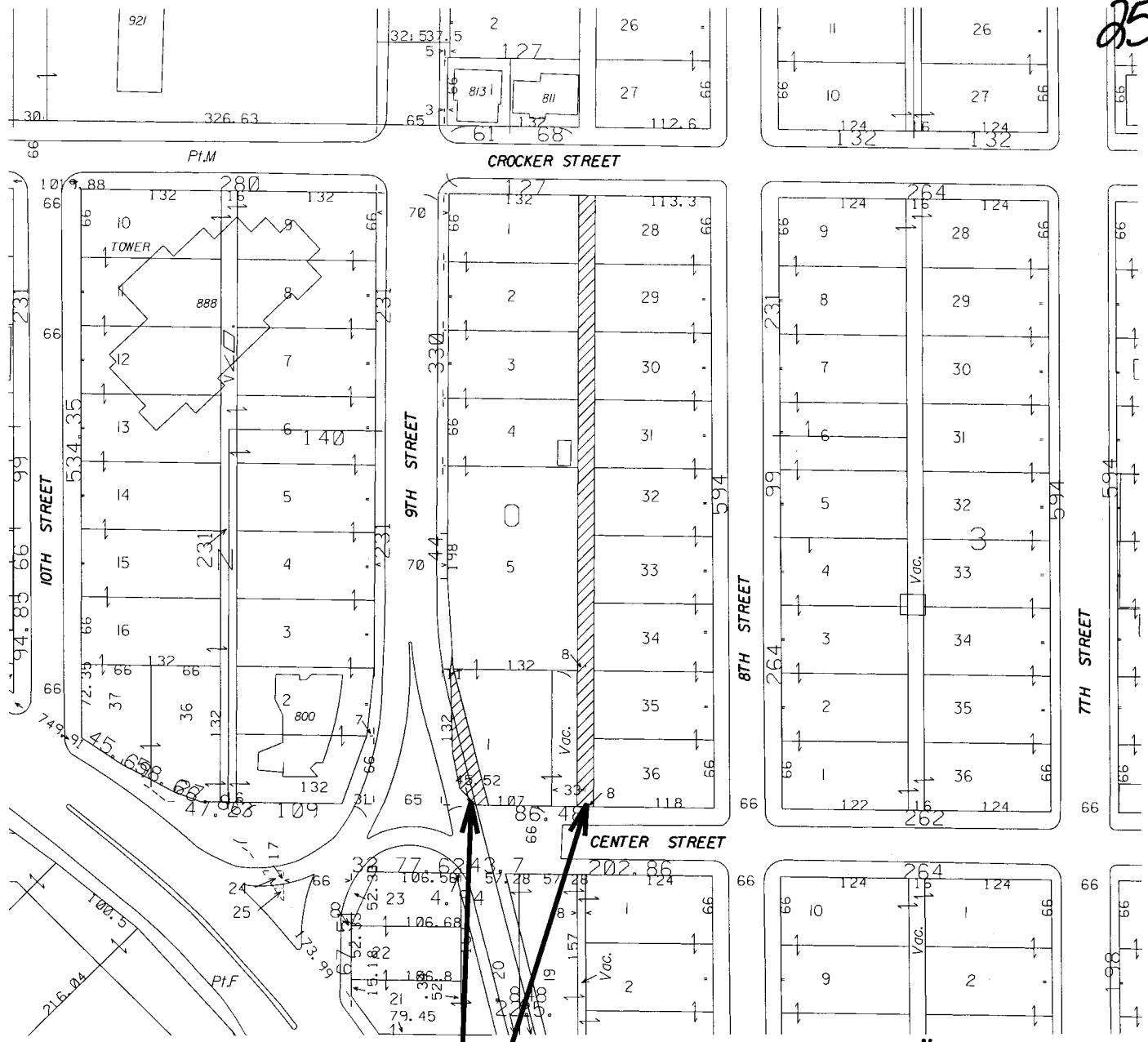
CERTIFICATE

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.

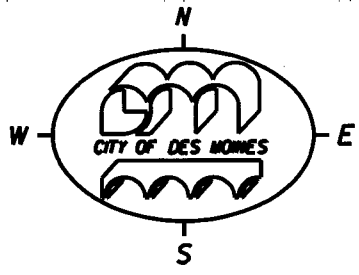
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
PRINCIPAL LIFE INSURANCE
N/S ALLEY & EXCESS 9TH STREET ROW
BETWEEN CROCKER AND CENTER
ACTIVITY I.D. 34-2003-008**