

16

Date April 24, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF THE EAST/WEST ALLEY BETWEEN WALNUT STREET AND COURT AVENUE, FROM THE NORTH/SOUTH ALLEY EAST TO 4TH STREET, TO KIRKWOOD COMMONS, LLC FOR \$32,925.00

WHEREAS, on July 18, 2005, by Roll Call No. 05-1660, the City Council adopted a recommendation from the City Plan and Zoning Commission that the east/west alley between Walnut Street and Court Avenue, from the north/south alley east to 4th Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantee identified below is the owner of property abutting such right-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 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 the east/west alley between Walnut Street and Court Avenue, from the north/south alley east to 4th Street, more specifically described as follows:

All of the East/West alley right-of-way lying North of and adjoining Lot 10, Block 21, Fort Des Moines, 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: Kirkwood Commons, LLC for \$32,925.00

All of the vacated East/West alley right-of-way lying North of and adjoining Lot 10, Block 21, Fort Des Moines, 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 8, 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.

DESCRIPTION REVIEWED
[Signature]
4/19/06 11:13

★ Roll Call Number

Agenda Item Number

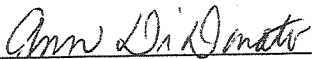
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Date April 24, 2006

5. The proceeds from the sale of this property shall be deposited into the following account: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Ann DiDonato
 Assistant City Attorney

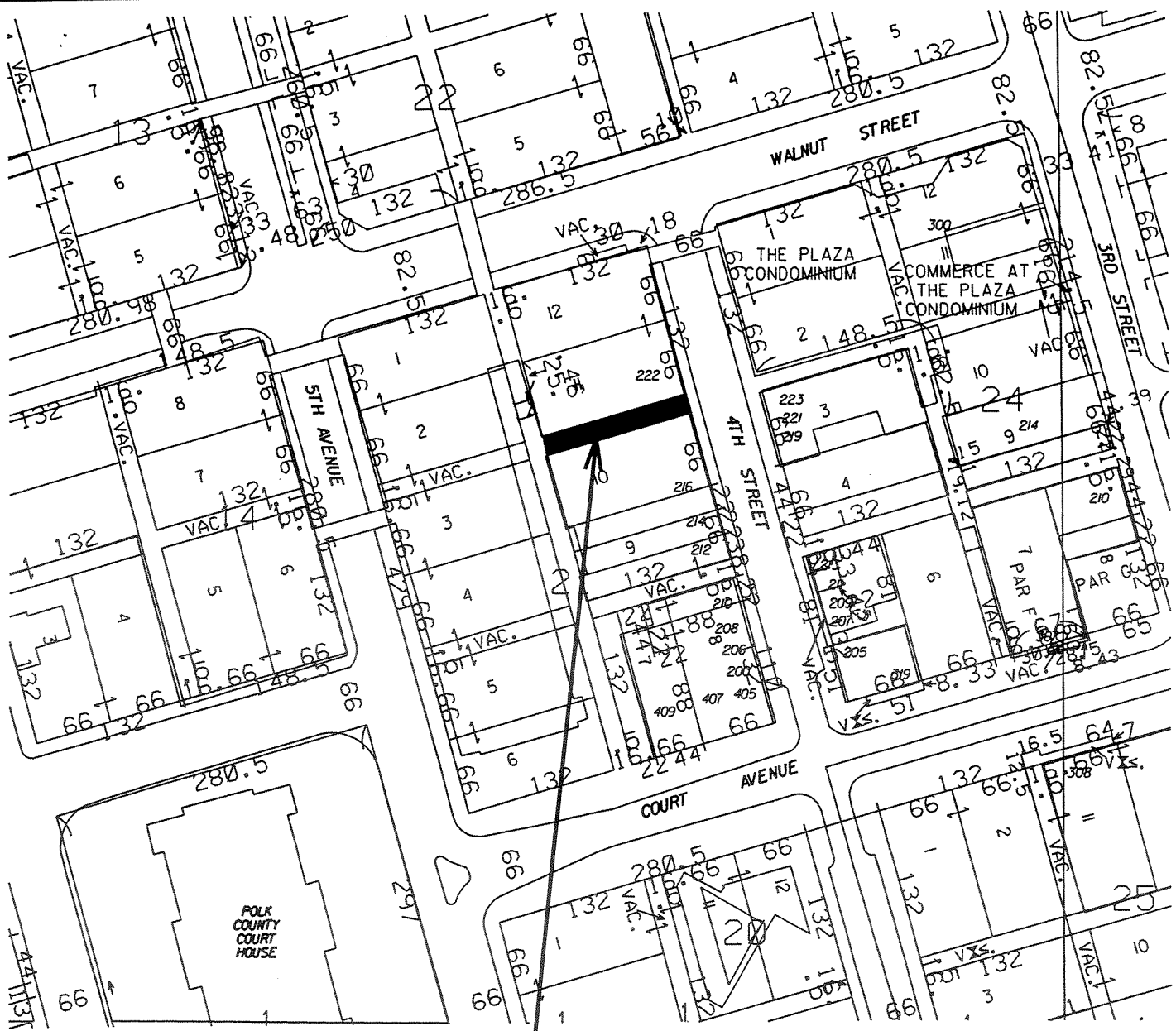
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			
_____ Mayor				

CERTIFICATE

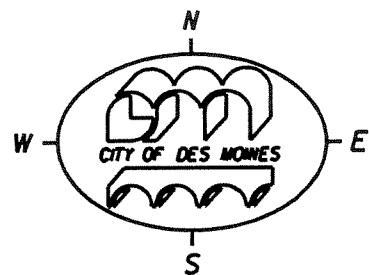
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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
KIRKWOOD COMMONS, LLC
ACTIVITY I.D. 34-2006-008**