

Date July 14, 2008

SET HEARING ON THE VACATION AND CONVEYANCE OF EXCESS CITY-OWNED RIGHT-OF-WAY AT EAST 19TH STREET AND HUBBELL AVENUE TO KENOYER AND ASSOCIATES, L.L.C. FOR \$2,425.00

WHEREAS, on August 26, 1991, by Roll Call No. 91-3625, the City Council adopted a recommendation from the City Plan and Zoning Commission that excess City-owned right-of-way at East 19th Street and Hubbell Avenue be vacated and sold, subject to restriction of lot use to residential purposes; 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 excess City-owned right-of-way at East 19th Street and Hubbell Avenue, more specifically described as follows:

Lots 10, 11 and 22 of the Hubbell Avenue 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 grantee and for the consideration identified below:

To: Kenoyer and Associates, L.L.C. for \$ 2,425.00

All that part of vacated Lots 10, 11 and 22 of the Hubbell Avenue Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, subject to any utilities now in place, subject to restriction to residential uses.

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 July 28, 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.

DESCRIPTION REVIEWED
[Signature]
7/16/08 16:10

★ **Roll Call Number**

Agenda Item Number

30

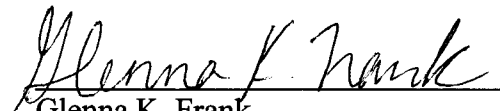
Dispositions: Page 2

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5. The proceeds from the sale of this property shall be deposited into the following account:
2008-09 Operating Budget, Page _____, Property Maintenance, _____.

Moved by _____ to adopt.

APPROVED AS TO FORM:


Glenna K. Frank
Assistant City Attorney

POW

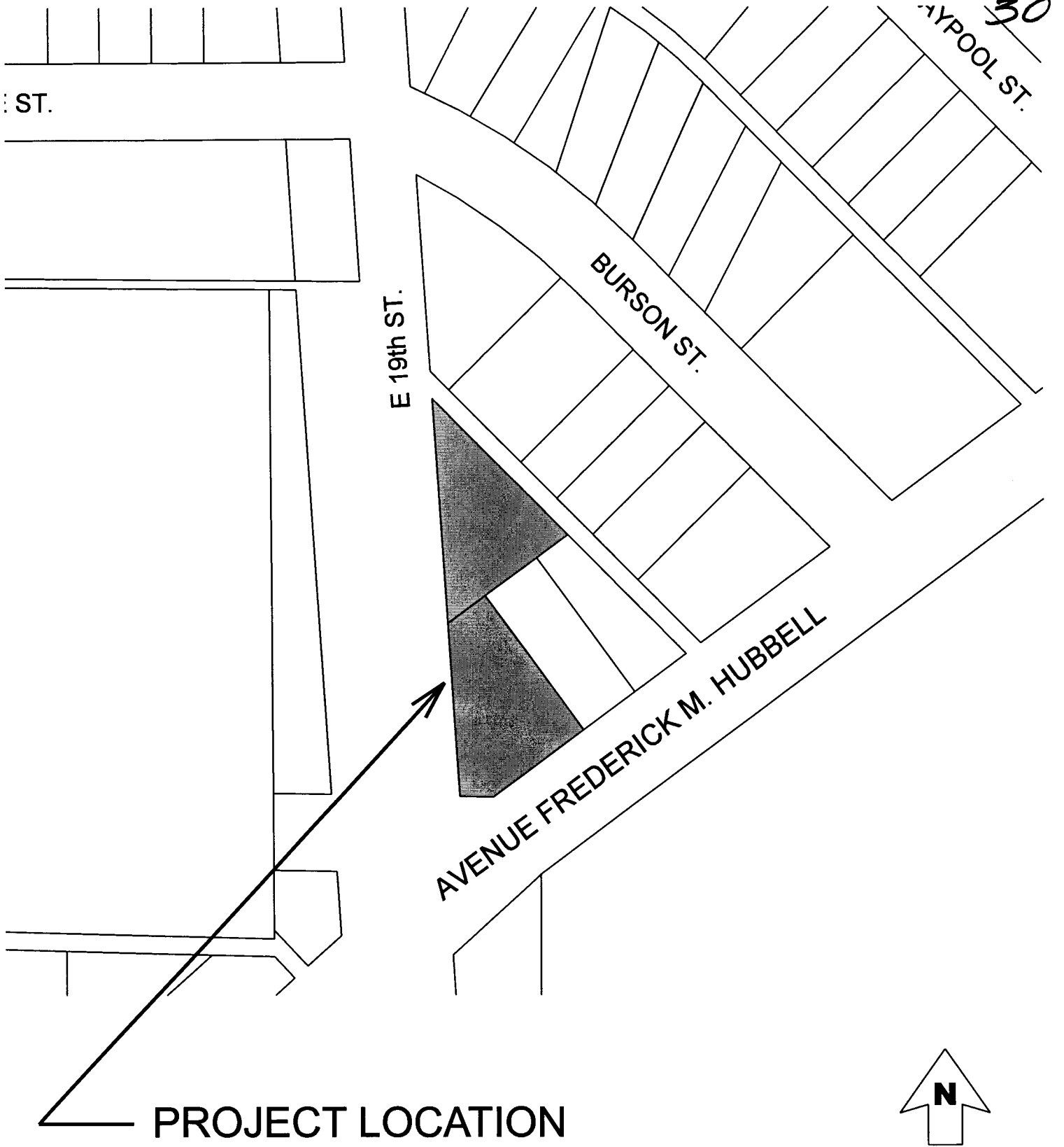
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

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



VACATE AND
CONVEY RIGHT-OF-WAY
TO KENOYER AND
ASSOCIATES, LLC
34-2009-000