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Date July 24, 2006

AUTHORIZING ISSUANCE OF REPLACEMENT DEED

WHEREAS, by Ordinance No. 5883 passed February 3, 1958, the City vacated the North/South alley right-of-way lying between SW 12th Street and SW 12th Place extending from the north line of Caulder Avenue to the north line of Lots 155 and 174 in Goodell Place, an Official Plat; and

WHEREAS, by Roll Call No. 688 adopted March 17, 1958, the City Council approved the sale of the vacated alley to the abutting property owners; and

WHEREAS, among the persons who purchased a portion of the vacated alley were Ella May Cook and Gladys Boylan, who were the owners of Lot 168 in Goodell Place; and

WHEREAS, Roll Call No. 688 was recorded in the Office of the Polk County Recorder on March 17, 1958, under Book 6350, Page 645, but a deed was never recorded; and

WHEREAS, Derek O'Riley and Jessica L. O'Riley have succeeded to the interests of Ella May Cook and Gladys Boylan in said Lot 168, and request the issuance of a replacement deed by the City.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the Replacement Quit Claim Deed prepared by the Legal Department conveying the following described portion of the vacated alley in the vicinity of 3308 SW 12th Street to Derek O'Riley and Jessica L. O'Riley for the purchase price of \$1.00 be and is hereby approved:

The East 7.0 feet of the vacated North/South alley right-of-way lying West of and adjacent to Lot 168, Goodell Place 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. 5883, passed February 3, 1958.)

2. The Mayor is hereby authorized and directed to sign the Replacement Quit Claim Deed on behalf of the City of Des Moines and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
4. The Mayor is authorized and directed to sign the Deed for the conveyance 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 this Deed, together with a certified copy of this resolution to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.

DESCRIPTION REVIEWED

James M. Bellhop
7/17/06 11:38

★ Roll Call Number

Agenda Item Number

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6. The Real Estate Division Manager is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution 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 original of the Deed and copies of the other documents to the grantees.
8. There will be no proceeds associated with the conveyance of this Replacement Quit Claim Deed.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

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

