

Date August 6, 2007

RESOLUTION AUTHORIZING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED FOR VACATED ALLEY ADJOINING 3236 E. UNIVERSITY AVENUE

WHEREAS, by Ordinance No. 2186 passed November 12, 1913, the City of Des Moines vacated the East/West alley adjoining 3236 E. University Avenue, including that portion thereof more specifically described below; and,

WHEREAS, the portion of the alley adjoining 3236 E. University Avenue, more specifically described below, was sold in 1914 to a Clifford Fortner, but the deed was not recorded and has been lost; and,

WHEREAS, Joanne Collins is now the sole owner of the property at 3236 E. University, and she and her predecessors in interest have held possession and paid taxes on such property and the adjoining half of the alley since 1914; and,

WHEREAS, Joanne Collins has requested the City issue to her a Replacement Quit Claim Deed for the adjoining half of the alley to remedy a title objection that has arisen from the unrecorded deed to Clifford Fortner; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the following described portion of the vacated alley adjoining 3236 E. University Avenue, to Joanne Collins, is hereby approved:

The South one-half of the vacated East/West alley right-of-way lying North of and adjoining Lot 20 Block E, Gray Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 2186 passed November 12, 1913.)

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 Mayors' signature.

( continued )

★ **Roll Call Number**

**Agenda Item Number**

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Date August 6, 2007

- The City Clerk is further authorized and directed to forward the original of the deed and a certified copy of this Resolution to the Legal Department for release to the grantee for recording.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney  
 C:\Rog\Vacate\Sales\3236 University.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
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

# Curative Quit Claim Deed alley adjoining 3236 E. University Avenue

