

Date August 6, 2007

SET HEARING FOR THE CONVEYANCE OF PROPERTY LOCATED AT THE CORNER OF SOUTHWEST 6TH STREET AND CHERRY STREET TO POLK COUNTY IN THE AMOUNT OF \$1.00 IN CONJUNCTION WITH THE MARTIN LUTHER KING, JR. PARKWAY – EAST/WEST SEGMENT PROJECT

WHEREAS, on November 17, 1997, by Roll Call No. 97-3694, the City Council of the City of Des Moines, Iowa, authorized the City Manger to acquire by gift, negotiation, or condemnation, the necessary right-of-way and easements for the construction of the Martin Luther King, Jr. Parkway (CDB Loop) 6th Avenue to S.W. 7th Street Connector Project; and,

WHEREAS, a portion of SE 6th Avenue was to have been conveyed to Polk County, Iowa for assemblage with the abutting parking lot owned by Polk County, Iowa; and,

WHEREAS, a portion of land currently improved as part of the 6th Avenue to 7th Street Connector Project was to have been conveyed by Polk County to the City of Des Moines, Iowa; and,

WHEREAS, Polk County, Iowa has offered to the City of Des Moines the purchase price of \$1.00 for the below described property in exchange for property needed by the City of Des Moines for the Martin Luther King, Jr. Parkway (CDB Loop) 6th Avenue to S.W. 7th Street Connector Project; and,

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

- 1. The City Council of the City of Des Moines, Iowa proposes to sell the following described property at the corner of SW 6th Street and Cherry Street, more specifically described and for the consideration identified below:

To: Polk County, Iowa

For: \$1.00

ALL THAT PART OF VACATED SOUTHWEST 6TH STREET LYING BETWEEN BLOCK 9 AND BLOCK 15 IN FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 IN SAID BLOCK 15; THENCE NORTH 15° (DEGREES) 22' (MINUTES) 04" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 10.26 FEET TO THE SOUTHERLY LINE OF THE PARCEL DESCRIBED IN BOOK 6229, PAGE

DESCRIPTION APPROVED [Signature] 8/6/07 07:45

Date August 6, 2007

Adm

702, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA, BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 74°51'35" WEST ALONG SAID SOUTHERLY LINE, 10.81 FEET TO THE PRESENT EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 6TH STREET; THENCE NORTHWESTERLY ALONG THE PRESENT EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 6TH STREET BEING A 532.15-FOOT RADIUS CURVE CONCAVE NORTHWESTERLY AND HAVING A 54.42-FOOT LONG CHORD BEARING NORTH 03°54'28" WEST, 54.44 FEET (ARC LENGTH) TO THE WESTERLY LINE OF SAID LOT 1; THENCE SOUTH 15°22'04" EAST ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 53.38 FEET TO THE POINT OF BEGINNING.

(Vacated by Ordinance No. 895, February 7, 1898)

BY SURVEY CONTAINING 264 SQUARE FEET, OR 0.01 ACRE.

2. A public hearing shall be held on August 20, 2007 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with code section 362.3 of the Iowa Code.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank

rw Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
MEYER				
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

