

Date August 20, 2007

HOLD 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/ S.W. 7th Street Paving 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, 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/S.W. 7th Street Paving Project; and,

WHEREAS, on, August 6, 2007, by Roll Call No. 07-_____, it was duly resolved by the City Council that the proposed conveyance of real property at the corner of SW 6th Street and Cherry Street, be set down for hearing on August 20, 2007, at 5:00 p.m., in the City Council Chambers; and

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

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed conveyance of this property as described below are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property at the corner of SW 6th Avenue and Cherry Street, more specifically described as follows:

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

Date August 20, 2007

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 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.

DESCRIPTION APPROVED
8/20/07 07:45
[Signature]

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

BY SURVEY CONTAINING 264 SQUARE FEET, OR 0.01 ACRE.

3. That the sale and conveyance of such right-of-way to Polk County, Iowa for \$1.00, be and is hereby approved:
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 and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
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 and of the affidavit of publication of the notice of this hearing, 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.

★ Roll Call Number

Agenda Item Number


68

Disposition: MLK EW – Polk County

Date August 20, 2007

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Glenna K. Frank
 Assistant City Attorney

PSW

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

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.

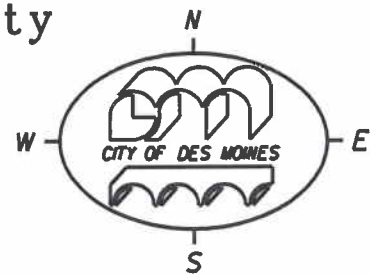
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

 Mayor



-  City Acquisition from Polk County
-  City Disposition to Polk County



PROPERTY DISPOSITION
ALLEY BETWEEN VIRGINIA AVENUE
AND PLEASANT VIEW DRIVE
ACT. I.D. 24-2007-054