★ **Roll Call Number**

Agenda Item Number 15

Date August 23, 2010

SET HEARING FOR CONVEYANCE OF A PORTION OF THE VACATED ALLEY LOCATED EAST OF 831 40TH PLACE TO ROGER E. AND LORI RENAE SHORT FOR $25

WHEREAS, by Ordinance No. 4338 passed in 1936, the City of Des Moines vacated a portion of the north/south alley located east of 831 40th Place, more particularly described below ("Property"); and

WHEREAS, Roger E. Short and Lori Renae Short own real property abutting said City-owned Property, and have offered to the City of Des Moines the purchase price of $25.00 for the purchase of such Property in order to incorporate it into their residential lot, and which price reflects the fair market value of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, the City of Des Moines has no current or anticipated public need for the Property and the City will not be inconvenienced by the sale of said Property.

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

1. The City of Des Moines, Iowa proposes to convey the following described Property east of 831 40th Place, more specifically described and for the consideration identified below:

   To: Roger E. Short and Lori Renae Short
   For: $25.00

   The West Seven (7) Feet of the North/South Vacated Alley lying east of and adjoining Lot 73 Bryn Mawr Heights Addition to Des Moines, an Official Plat all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. That the meeting of the City Council at which the sale and conveyance of the Property is to be considered shall be on September 13, 2010 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 §362.3 of the Iowa Code.

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4. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, SP767, ENG980500.

Moved by _____ to adopt

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

RCW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
GRIESS				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

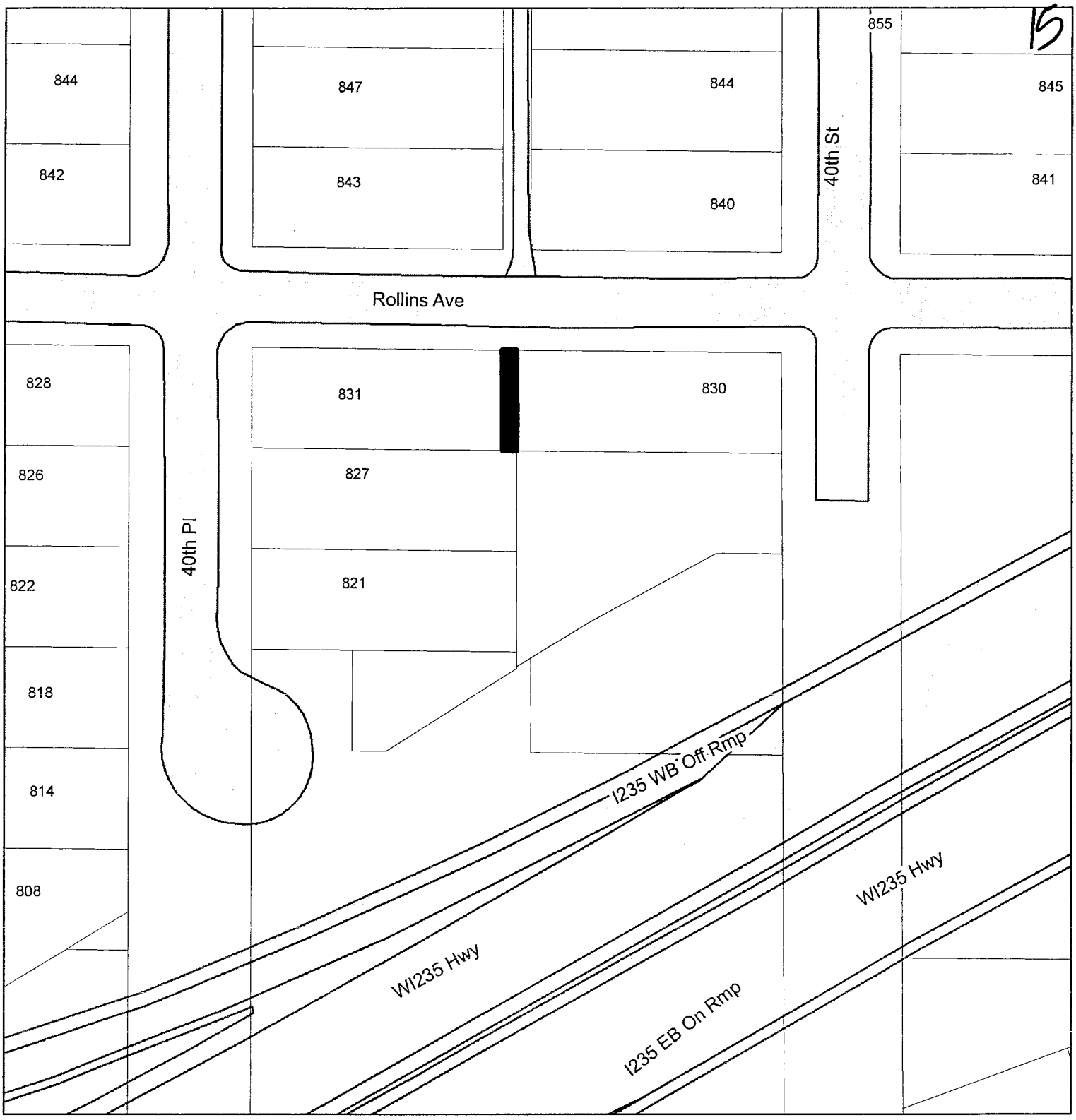
_____ Mayor

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



Legend

PROJECT LOCATION

N

CONVEYANCE OF ALLEY ADJOINING 831 40TH PLACE