

★ **Roll Call Number**

**Agenda Item Number**

11

Disposition

Date August 25, 2008

**SET HEARING FOR CONVEYANCE OF PORTIONS OF THE VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY BETWEEN EAST 16<sup>TH</sup> STREET AND SAMPSON STREET, SOUTH OF EAST HULL AVENUE, TO LUTHER CARE SERVICES FOR \$1,640**

**WHEREAS**, on May 25, 1964, by Roll Call No. 64-2646, the City Council approved Ordinance No. 7078 vacating the northern portion of the North/South alley right-of-way between East 16<sup>th</sup> Street and Sampson Street, south of East Hull Avenue; and

**WHEREAS**, on August 15, 1977, by Roll Call No. 77-3548, the City Council approved Ordinance No. 9319 vacating the southern portion of the North/South alley right-of-way between East 16<sup>th</sup> Street and Sampson Street, south of East Hull Avenue; and

**WHEREAS**, Luther Care Services is the owner of property abutting a segment of the vacated north/south alley right-of-way between East 16<sup>th</sup> Street and Sampson Street, south of East Hull Avenue, and has offered to the City of Des Moines the purchase price of \$1,640 for the purchase of such City-owned right-of-way, more specifically described below.

**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 right-of-way located between East 16<sup>th</sup> Street and Sampson Street, south of East Hull Avenue, more specifically described and for the consideration identified below:

To: Luther Care Services

For: \$1,640

All of the West ½ of the vacated North/South alley right-of-way (vacated by Ordinance No. 7078, May 25, 1964) lying East of and adjoining Lot 8, Lindquist Place Replat, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

All of the vacated North/South alley right-of-way (vacated by Ordinance No. 9319, August 15, 1977) lying West of and adjoining Lots 10 and 11, Van Nest 1<sup>st</sup> Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

DESCRIPTION REVIEWED

*[Handwritten signature]*  
8/25/08 15:25

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17

Disposition

Date August 25, 2008

The West ½ of the vacated North/South alley right-of-way (vacated by Ordinance No. 9319, August 15, 1977) lying East of and adjoining the South 55.0 feet of the North 165.0 feet of the South 4 Acres of Lot 3 in Partition Plat of the Northeast ¼ of the Southwest ¼ of Section 25, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., an Official Plat, and the West ½ of said vacated North/South alley right-of-way lying East of and adjoining the South 55.0 feet of the North 330.0 feet of the South 4 Acres of said Lot 3, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED  
*Glenna K. Frank*  
 8/25/08 15:30

2. A public hearing shall be held on September 8, 2008, 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.
4. The proceeds from the sale of this property will be deposited into the following account: CDM Index: 950287, Fund: SP767, ORG: ENG980500, Fund Description: Property Maintenance Fund.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Glenna K. Frank*  
 Glenna K. Frank  
 Assistant City Attorney

*RCM*

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

MOTION CARRIED

APPROVED

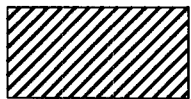
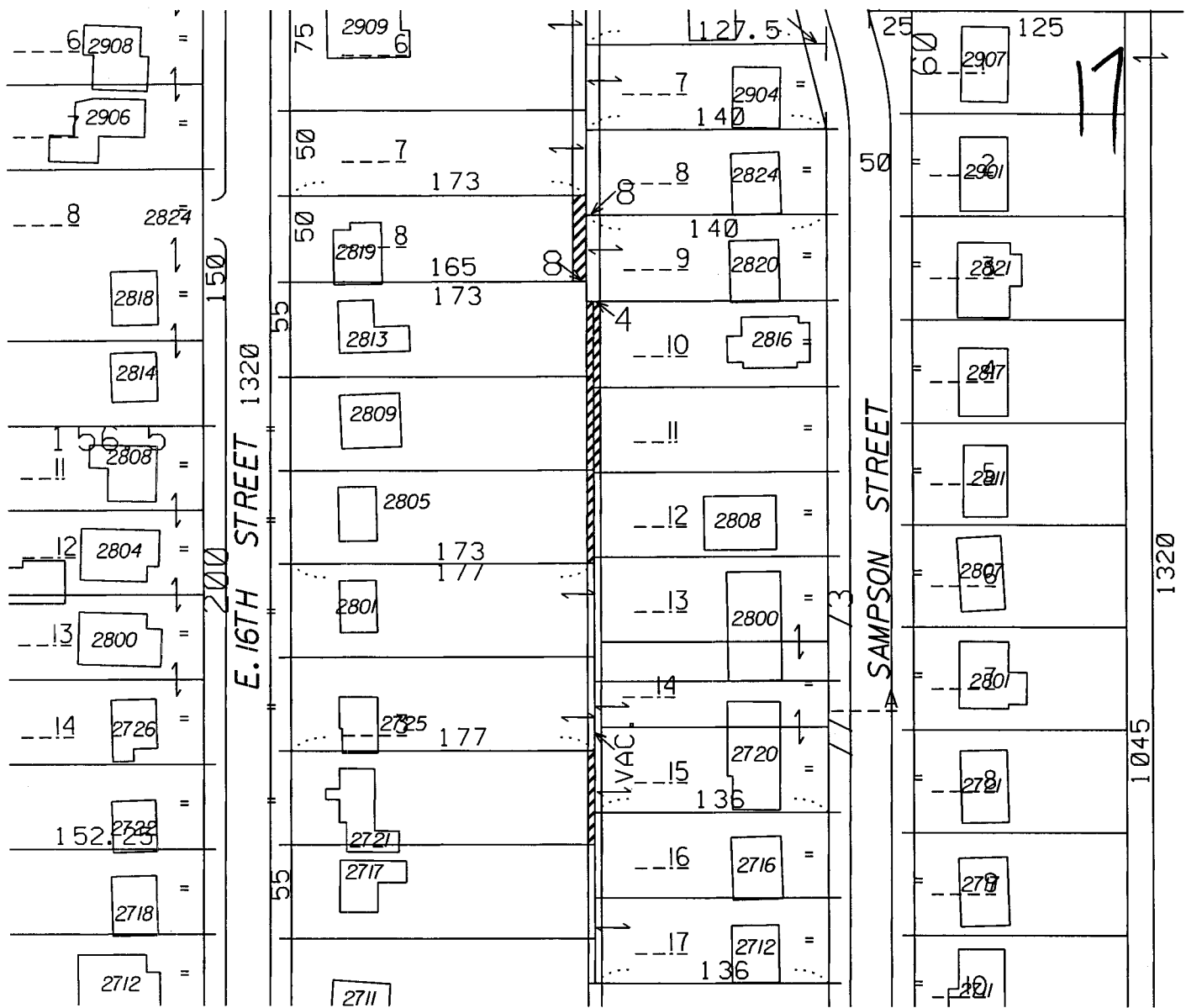
\_\_\_\_\_  
 Mayor

**CERTIFICATE**

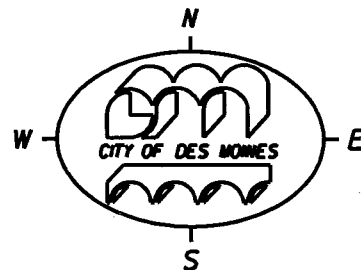
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_  
 City Clerk



PROPERTY  
LOCATION



PROPERTY DISPOSITION  
LUTHER CARE SERVICES