

Date September 10, 2007

**HOLD HEARING FOR THE CONVEYANCE OF THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY BETWEEN MAHASKA AVENUE AND STATE AVENUE, EAST OF EAST 32<sup>ND</sup> STREET, TO ADJOINING PROPERTY OWNERS FOR \$150**

**WHEREAS**, on August 7, 1995, by Roll Call No. 95-3013, the City Council approved Ordinance No. 13,219 vacating the East/West alley right-of-way between Mahaska Avenue and State Avenue, East of East 32<sup>nd</sup> Street; and

**WHEREAS**, the owners of property abutting such vacated right-of-way have offered to the City of Des Moines the purchase price listed below for the purchase of such City-owned property, more specifically described below; and

**WHEREAS**, on August 20, 2007, by Roll Call No. 07- 1591, it was duly resolved by the City Council that the proposed conveyance of the vacated East/West alley right-of-way between Mahaska Avenue and State Avenue, East of East 32<sup>nd</sup> Street, be set down for hearing on September 10, 2007, at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of said proposal to convey this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with City Council direction, those interested in this proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

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 to the grantees and for the consideration more specifically described as follows:

To: Bonnie L. Brock for \$50

The North ½ of the vacated East/West alley right-of-way lying South of and adjoining Lots 16 and 17, Block D, Gray Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED  
*[Signature]*  
9/10/07 14:20

Date September 10, 2007

To: Kathryn Lingren for \$50

The South 1/2 of the vacated East/West alley right-of-way lying North of and adjoining Lots 18 and 19, Block D, Gray Heights, an Official Plat, and all of the East/West alley right-of-way lying North of and adjoining Lot 20, said Block D, Gray Heights, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Donald P. Maynes and Nancy E. Maynes for \$50

The North 1/2 of the vacated East/West alley right-of-way lying South of and adjoining the West 25.00 feet of Lot 13, and lying South of and adjoining Lot 14, Block D, Gray Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED  
Smyth  
9/10/07 14:30

3. That the sale and conveyance of such right-of-way to the buyers and for the consideration described above, together with payment by such grantees of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Offers to Purchase and Quit Claim Deeds for the conveyances 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 originals of the Deeds, 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 originals of the Deeds, 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 originals of the Deeds and copies of the other documents to the grantees.
8. The proceeds from the sale of this property will be deposited into the following account: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

★ Roll Call Number

Agenda Item Number

65


Disposition – Brock, et al: Page 3

Date September 10, 2007

(Council Communication No. 07-551)

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

APPROVED AS TO FORM:

  
 Glenna K. Frank  
 Assistant City Attorney

*psw*

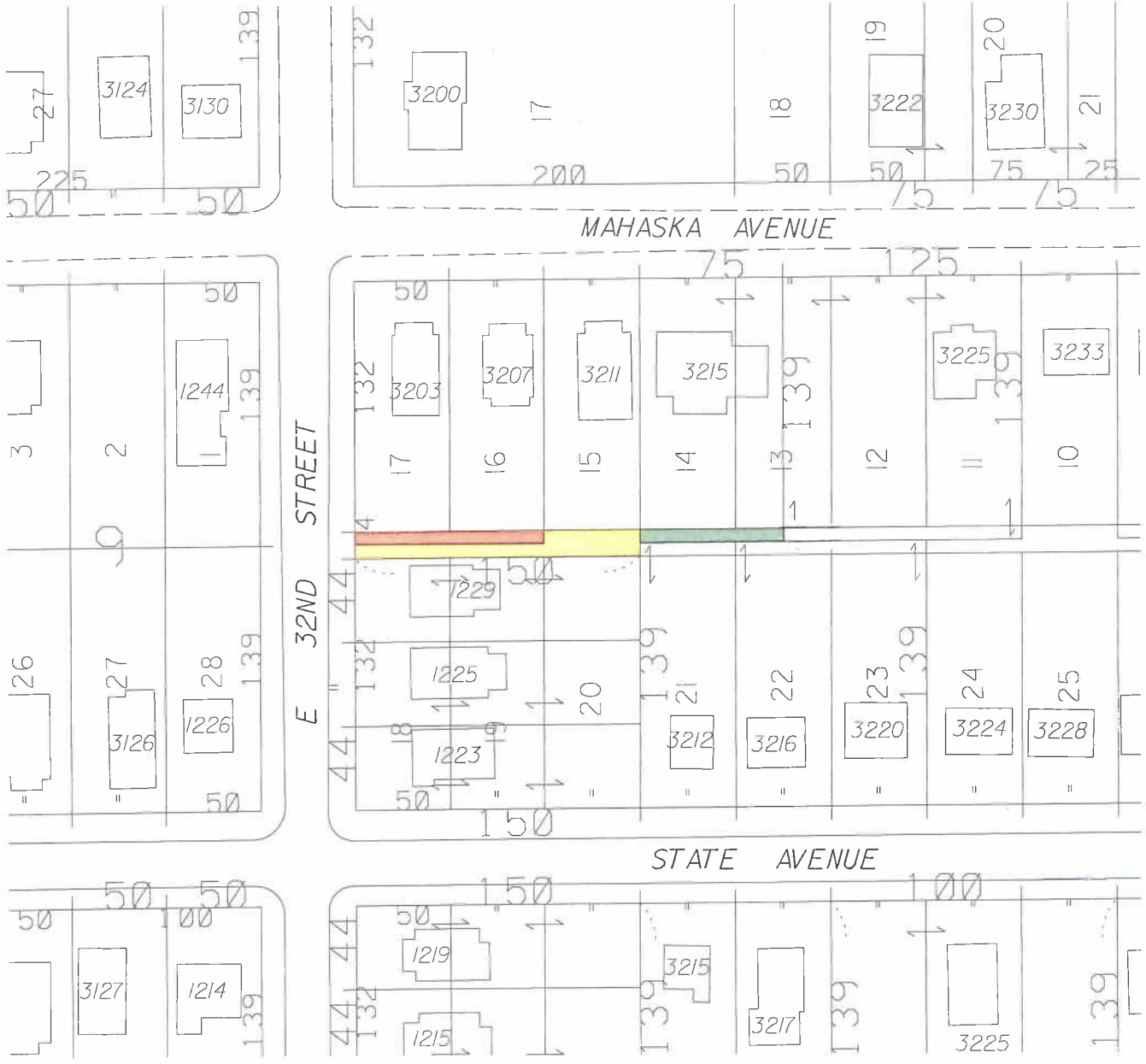
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

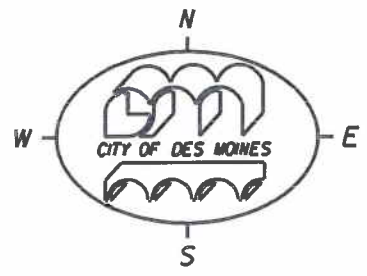
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

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



- BROCK**
- LINGREN**
- MAYNES**



## GENERAL DISPOSITION ALLEY BETWEEN MAHASKA & STATE AVENUES AT E. 32ND STREET