

Date September 11, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF THE NORTH 25 FEET OF ARMY POST ROAD BETWEEN SW 5TH STREET AND SW 6TH STREET TO THOMAS J. AND LOIS L. AKERS FOR \$1,200

WHEREAS, on July 8, 2002, by Roll Call No. 02-1682, the City Council adopted a recommendation from the City Plan and Zoning Commission that the north 40 feet of Army Post Road between SW 5th Street and SW 6th Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the City Engineer determined that only 25 feet could be sold at this time, subject to certain conditions, due to the future widening needs of Army Post Road; and

WHEREAS, the grantee identified below is the owner of property abutting such right-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of the portion of such right-of-way described below.

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

- 1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the north 25 feet of Army Post Road between SW 5th Street and SW 6th Street, more specifically described as follows:

The North 25.00 feet of the South 75.00 feet of the West 460.80 feet of the East 1532.80 feet of Army Post Road right-of-way being in the Southeast 1/4 of Section 28, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

- 2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines proposes to sell such right-of-way, as described below to the grantees and for the consideration identified below:

To: Thomas J. and Lois L. Akers for \$1,200

The vacated North 25.00 feet of the South 75.00 feet of the West 460.80 feet of the East 1532.80 feet of Army Post Road right-of-way being in the Southeast 1/4 of Section 28, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
[Signature]
9/13/06 O.P.:181

★ Roll Call Number

Agenda Item Number

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3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such real estate is to be considered shall be on September 25, 2006, said meeting to be held at 5:00 p.m., in the Council Chamber.

4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

5. The proceeds from the sale of this property shall be deposited into the following account: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

 Ann DiDonato
 Assistant City Attorney

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

MOTION CARRIED APPROVED

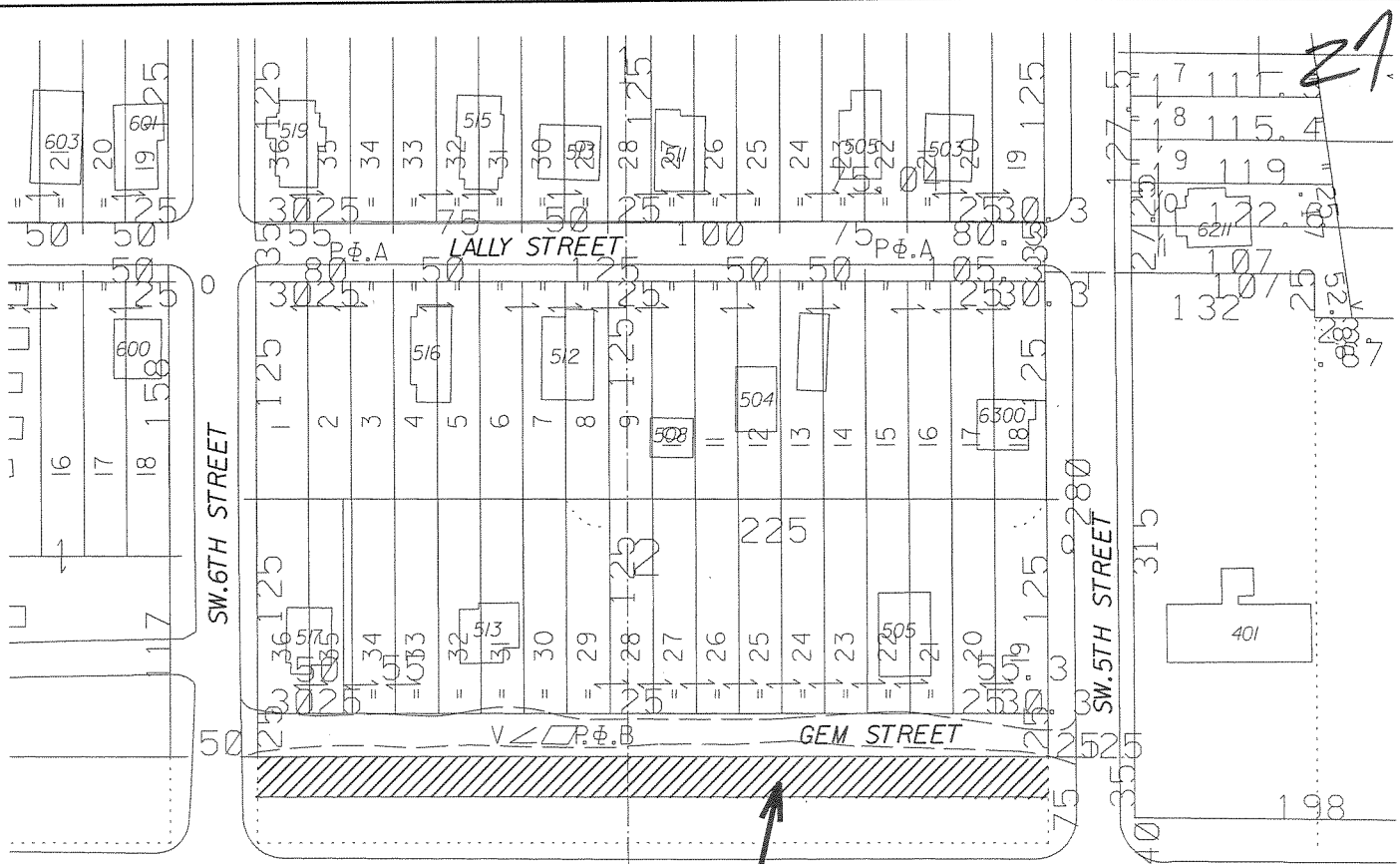
 Mayor

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.

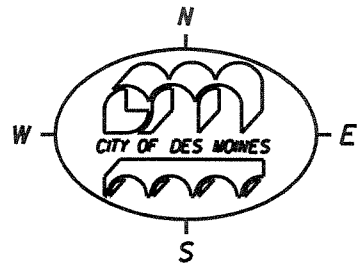
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk



ARMY POST ROAD

**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
NORTH 25' ARMY POST ROAD R.O.W.
BETWEEN S.W. 5TH & S.W. 6TH STREETS
ACTIVITY I.D. 34-2006-012**