

Date September 25, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF A DEAD-END SEGMENT OF NE 47<sup>TH</sup> COURT RIGHT-OF-WAY LOCATED SOUTH OF NE HUBBELL ROAD TO HUBBELL PROPERTIES II, L.C. FOR \$700

WHEREAS, on September 11, 2006, by Roll Call No. 06-1763, the City Council adopted a recommendation from the City Plan and Zoning Commission that a dead-end segment of NE 47<sup>th</sup> Court right-of-way located South of NE Hubbell Road, hereinafter more fully described, be vacated and sold; 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 a dead-end segment of NE 47<sup>th</sup> Court located South of NE Hubbell Road, more specifically described as follows:

All of that portion of Lot A (Northeast 47<sup>th</sup> Court), Glenn Acres, an Official Plat, lying West of and adjoining Lots 48, 49 and 50 of said Glenn Acres, 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: Hubbell Properties II, L.C. for \$700

All of that portion of vacated Lot A (Northeast 47<sup>th</sup> Court), Glenn Acres, an Official Plat, lying West of and adjoining Lots 48, 49 and 50 of said Glenn Acres, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 October 9, 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.

DESCRIPTION REVIEWED  
9/21/06 10:50

★ **Roll Call Number**

**Agenda Item Number**

16

Dispositions - Hubbell: Page 2

**Date** September 25, 2006

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

*ASW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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.

\_\_\_\_\_  
Mayor

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