

★ Roll Call Number

Agenda Item Number

19

Dispositions – 1306 Diamond View, LLC: Page 1

Date October 8, 2007

SET HEARING FOR VACATION AND CONVEYANCE OF A PORTION OF SE 1ST STREET RIGHT-OF-WAY, ALONG WITH CONVEYANCE OF A SEGMENT OF PREVIOUSLY VACATED MONROE STREET, ALL ADJOINING 1306 SE 1ST STREET, TO 1306 DIAMOND VIEW, LLC FOR \$7,610

WHEREAS, on October 25, 2004, by Roll Call No. 04-2309, the City Council passed Ordinance No. 14, 382 vacating a segment of Monroe Street right-of-way in the vicinity of 1300 SE 1st Street; and

WHEREAS, on June 7, 2004, by Roll Call No. 04-1144, the City Council adopted a recommendation from the City Plan and Zoning Commission that a portion of SE 1st Street right-of-way adjoining 1306 SE 1st Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantee identified below is purchasing property abutting such rights-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of a portion of SE 1st Street right-of-way, along with purchase of a segment of previously vacated Monroe Street, all adjoining 1306 SE 1st Street, as 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 portion of SE 1st Street right-of-way adjoining 1306 SE 1st Street, more specifically described as follows:

All that part of Lots 6, 7 and 8, Block 19, South Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of Lot 6 in said Block 19; thence North 75°(Degrees) 05(Minutes) 44"(Seconds) West, along the South line of said Lot 6, a distance of 7.00 feet; thence North 17°30'00" East, 68.50 feet to a point on the northerly line of said Lot 6 which is 7.00 feet westerly of the Northeast corner of said Lot 6; thence North 11°42'43" East, 68.64 feet to a point on the northerly line of said Lot 7 which is 14.00 feet westerly of the Northeast corner of said Lot 7; thence North 02°29'42" West, 71.57 feet to a point on the Northerly line of said Lot 8 which is 38.50 feet westerly of the Northeast corner of said Lot 8; thence South 75°24'18" East, along the North line of said Lot 8, a distance of 10.00 feet; thence South 00°10'19" East, 70.75 feet; thence South 13°22'53" West, 68.58 feet; thence South 15°49'37" West, 68.45 feet to the Point of Beginning. Said parcel contains by survey 1403 sq ft.

DESCRIPTION REVIEWED

[Handwritten signature]

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, along with a segment of previously vacated Monroe

Date October 8, 2007

Street adjoining 1306 SE 1st Street, as described below, to the grantee and for the consideration identified below:

To: 1306 Diamond View, LLC for \$7,610

All that part of vacated Lots 6, 7 and 8, Block 19, South Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of Lot 6 in said Block 19; thence North 75°(Degrees) 05'(Minutes) 44"(Seconds) West, along the South line of said Lot 6, a distance of 7.00 feet; thence North 17°30'00" East, 68.50 feet to a point on the northerly line of said Lot 6 which is 7.00 feet westerly of the Northeast corner of said Lot 6; thence North 11°42'43" East, 68.64 feet to a point on the northerly line of said Lot 7 which is 14.00 feet westerly of the Northeast corner of said Lot 7; thence North 02°29'42" West, 71.57 feet to a point on the Northerly line of said Lot 8 which is 38.50 feet westerly of the Northeast corner of said Lot 8; thence South 75°24'18" East, along the North line of said Lot 8, a distance of 10.00 feet; thence South 00°10'19" East, 70.75 feet; thence South 13°22'53" West, 68.58 feet; thence South 15°49'37" West, 68.45 feet to the Point of Beginning. Said parcel contains by survey 1403 sq ft.

And

All that part of vacated Monroe Street (vacated by Ordinance No. 14382) lying North of Lots 1 and 8, Block 19, South Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the Northwest corner of said Lot 1; thence North 17°(Degrees) 37'(Minutes) 36"(Seconds) East, along the northerly projection of the East line of South Union Street, 24.00 feet; thence South 87°51'35" East, 136.48 feet; thence South 80°28'23" East, 79.14 feet; thence South 22°49'56" East, 25.15 feet; thence South 20°17'43" East, 18.26 feet; thence South 16°22'51" East, 11.65 feet; thence South 09°38'15" East, 16.43 feet; thence North 75°24'18" West, along the North line of said Lot 8, a distance of 10.00 feet to a point on the northerly line of said Lot 8, which is 38.50 feet westerly of the Northeast corner of said Lot 8; thence North 09°36'21" West, 36.13 feet to a point being 55.00 feet westerly of the northerly projection of the easterly line of said Block 19; thence North 22°56'49" West, 8.82 feet to a point being 40.00 feet northerly of the North line of said Lot 8; thence North 75°24'18" West, being parallel with the North line of said Lot 8, a distance of 87.77 feet; thence South 17°30'00" West, 40.00 feet to the Northeast corner of Lot 1, Block 19; thence North 75°36'31" West, 131.85 feet along the North line of said Lot 1 to the Point of Beginning. Said parcel contains by survey 7374 sq ft.

DISPOSITION REVIEWED
10/10/07 12:58
[Signature]

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19

Dispositions – 1306 Diamond View, LLC: Page 3

Date October 8, 2007

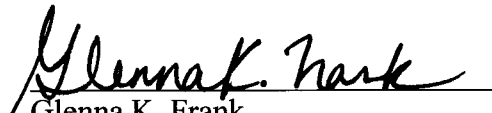
3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such real estate is to be considered shall be on October 22, 2007, said meeting to be held at 5:00 p.m., in the Council Chamber.

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: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Glenna K. Frank
 Assistant City Attorney

pn

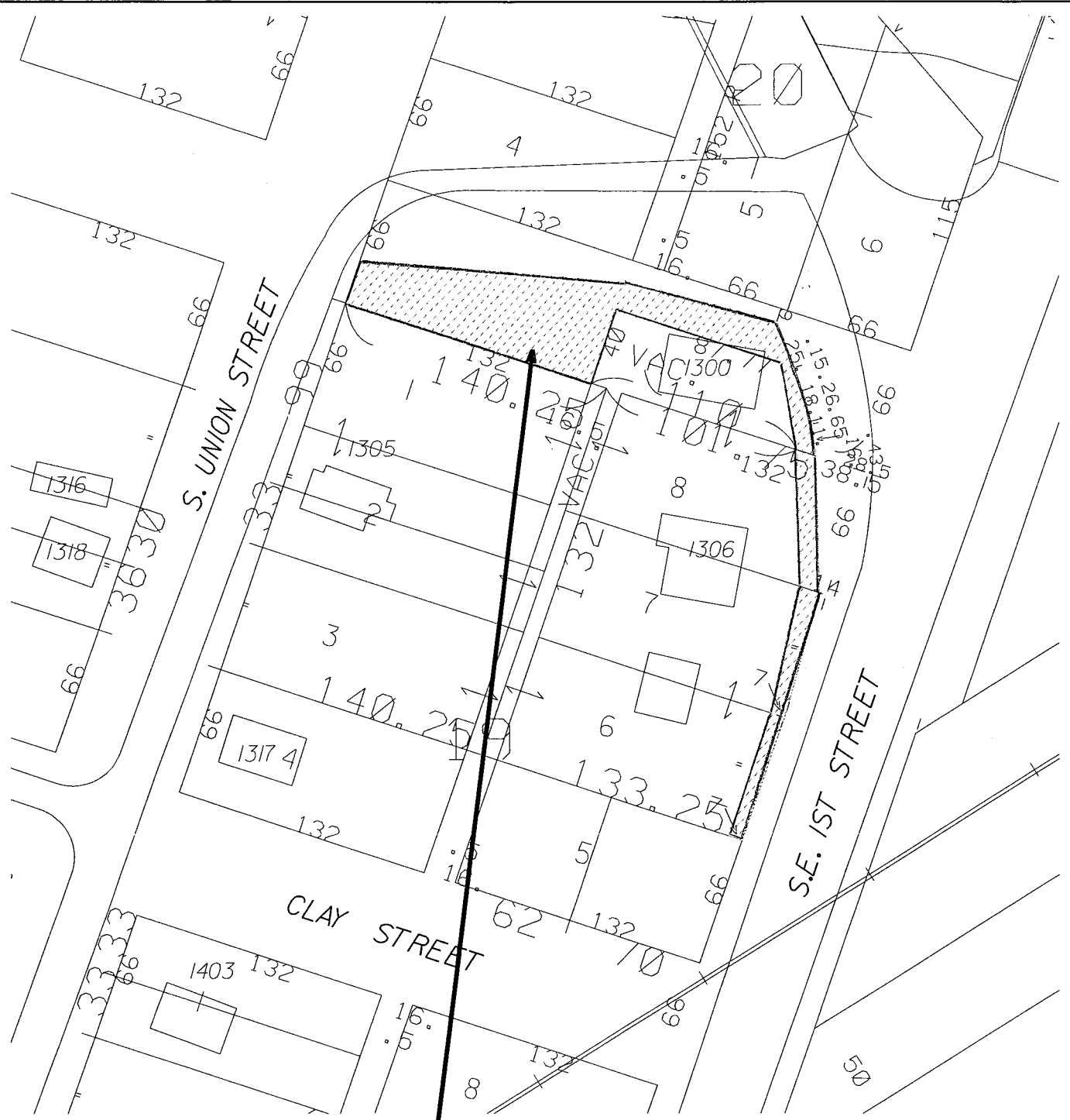
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

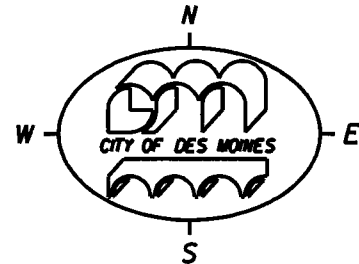
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk



**PROJECT
LOCATION**



**GENERAL DISPOSITION
1306 DIAMOND VIEW, LLC
ACTIVITY I.D. 34-2008-012**