

Date October 8, 2007

HOLD HEARING ON CONVEYANCE OF A PARCEL OF CITY-OWNED PROPERTY ADJOINING 2722 EAST WALNUT STREET TO ROBERT L. GREEN FOR \$1

WHEREAS, on June 14, 1905, the City of Des Moines acquired a parcel of property from Rees and Jenny R. Gabriel for storm sewer right-of-way by Warranty Deed, subject to the condition that if the storm sewer ditch was ever covered or abandoned, the ownership of the property would revert back to the adjoining property owner, with the City reserving a permanent easement for storm sewer; and

WHEREAS, the above mentioned storm sewer ditch has been covered, and ownership of the property, more specifically described below, needs to be transferred from the City of Des Moines to the owner of the adjoining property at 2722 East Walnut Street, with reservation of a Permanent Easement for Storm Sewer Right-of-Way; and

WHEREAS, on September 24, 2007, by Roll Call No. 07- 1836, it was duly resolved by the City Council that the proposed conveyance of real property adjoining 2722 East Walnut Street, be set down for hearing on October 8, 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 adjoining 2722 East Walnut Street, more specifically described as follows:

The West 20.0 feet of Lot 16, Block 4, Brewer and Company's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the conveyance of such City-owned property to Robert L. Green for \$1, together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.

DESCRIPTION REVIEWED

[Handwritten signature]
10/10/07 11:28

★ Roll Call Number

Agenda Item Number

49

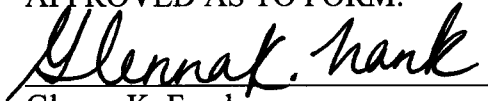
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4. The Mayor is authorized and directed to sign the Quit Claim Deed with Reservation of Easement for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this Deed, 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 original of the Deed, 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 original of the Deed and copies of the other documents to the grantees.
8. There will be no proceeds associated with the conveyance of this property.

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Glenna K. Frank
 Assistant City Attorney

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.

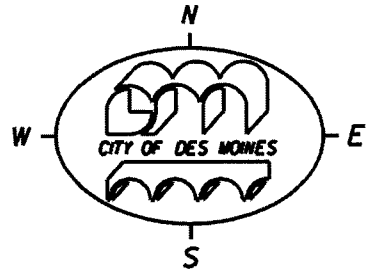
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk



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PROPERTY
LOCATION



PROPERTY DISPOSITION-Green
ACTIVITY I.D. 34-2006-053