

Date November 19, 2007

HOLD HEARING FOR CONVEYANCE OF THE NORTH 1/2 OF THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY ADJOINING 2800 KINSEY AVENUE TO ROBERT AND BARBARA HENDERSON FOR \$25

WHEREAS, on July 22, 1996, by Roll Call No. 96-2633, the City Council approved Ordinance No. 13,359 vacating the East/West alley right-of-way between East Washington Avenue and Kinsey Avenue, East of East 28th 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 November 5, 2007, by Roll Call No. 07- 2122, it was duly resolved by the City Council that the proposed conveyance of the North 1/2 of the vacated East/West alley right-of-way adjoining 2800 Kinsey Avenue be set down for hearing on November 19, 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: Robert D. Henderson, Sr. and Barbara L. Henderson for \$25

The North 1/2 of the vacated East/West alley right-of-way lying South of and adjoining Lot 124, Boulevard Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
11/19/07 07:07
[Signature]

★ Roll Call Number

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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 Offer to Purchase and Quit Claim Deed 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 the 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. The proceeds from the sale of this property will be deposited into the following account: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

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(Council Communication No. 07-683)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

PSW

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

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.

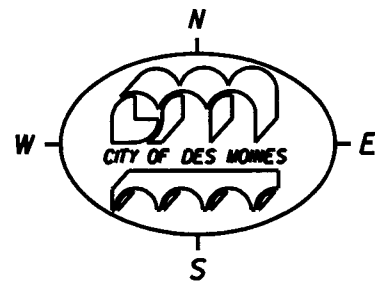
MOTION CARRIED APPROVED

Mayor

City Clerk



**PROJECT
LOCATION**



**GENERAL DISPOSITION
E/W ALLEY ADJOINING
2800 KINSEY AVE.
ACTIVITY I.D. 34-2008-014**