

Date December 3, 2007

SET HEARING FOR VACATION AND CONVEYANCE OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY FROM THORNTON AVENUE TO ROSE AVENUE, BETWEEN SW 3RD STREET AND SW 4TH STREET, TO ADJOINING PROPERTY OWNERS FOR \$725

WHEREAS, on July 26, 2004, by Roll Call No. 04-1567, the City Council adopted a recommendation from the City Plan and Zoning Commission that the North/South alley right-of-way from Thornton Avenue to Rose Avenue, between SW 3rd Street and SW 4th Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantees identified below are the owners of property abutting such right-of-way and have 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/South alley right-of-way from Thornton Avenue to Rose Avenue, between SW 3rd Street and SW 4th Street, more specifically described as follows:

All of the North/South alley right-of-way lying East of and adjoining Lots 16 through 20, Devin Place Addition, an Official Plat, 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: Polk County Health Services, Inc. for \$200

All of the vacated North/South alley right-of-way lying West of and adjoining the North 67.0 feet of Lot 29, and lying West of and adjoining Lot 30, Devin Place Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Matthew E. and Denise McCullough for \$75

The East 1/2 of the vacated North/South alley right-of-way lying West of and adjoining the South 12.0 feet of Lot 29, Devin Place Addition, an Official Plat, and all of the vacated North/South alley right-of-way lying West of and adjoining the North 53.0 feet of the

DESCRIPTION REVIEWED
[Signature]
11/29/07 12:59

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South 65.0 feet of Lot 29, said Devin Place Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Eric and Tamra Means for \$50

The West ½ of the vacated North/South alley right-of-way lying East of and adjoining the South 12.0 feet of Lot 19, Devin Place Addition, an Official Plat, and lying East of and adjoining the North 49.0 feet as measured on the East line of Lot 18 of said Devin Place Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Debbie A. Mahon for \$50

The East ½ of the vacated North/South alley right-of-way lying West of and adjoining the North ½ of Lot 28, Devin Place Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Jon and Tina Loveless for \$100

The West ½ of the vacated North/South alley right-of-way lying East of and adjoining the North 17.0 feet of the South 83.0 feet as measured on the East line of Lot 18, Devin Place Addition, an Official Plat, and all of the vacated North/South alley right-of-way lying East of and adjoining the South 66.0 feet of said Lot 18, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Angelique K. Brookhart for \$100

All of the vacated North/South alley right-of-way lying East of and adjoining the North 72.0 feet of Lot 17, Devin Place Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Tony Marvin and Janet Lou Bass for \$75

All of the vacated North/South alley right-of-way lying East of and adjoining the South 60.0 feet of Lot 17, Devin Place Addition, an Official Plat, and the West ½ of the vacated North/South alley right-of-way lying East of and adjoining Lot 16, said Devin Place Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

 A handwritten signature in blue ink is written over a red stamp. The stamp contains the text "REVISION, REVIT" and "6.5.09" and "Colobry".

★ Roll Call Number

Agenda Item Number

14

Dispositions – Means, et al Page 3

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To: Donald Schmelling and David Piper for \$75

The East ½ of the vacated North/South alley right-of-way lying West of and adjoining Lot 26, Devin Place Addition, an Official Plat, 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 December 17, 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
 Glenna K. Frank
 Assistant City Attorney

PSN

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

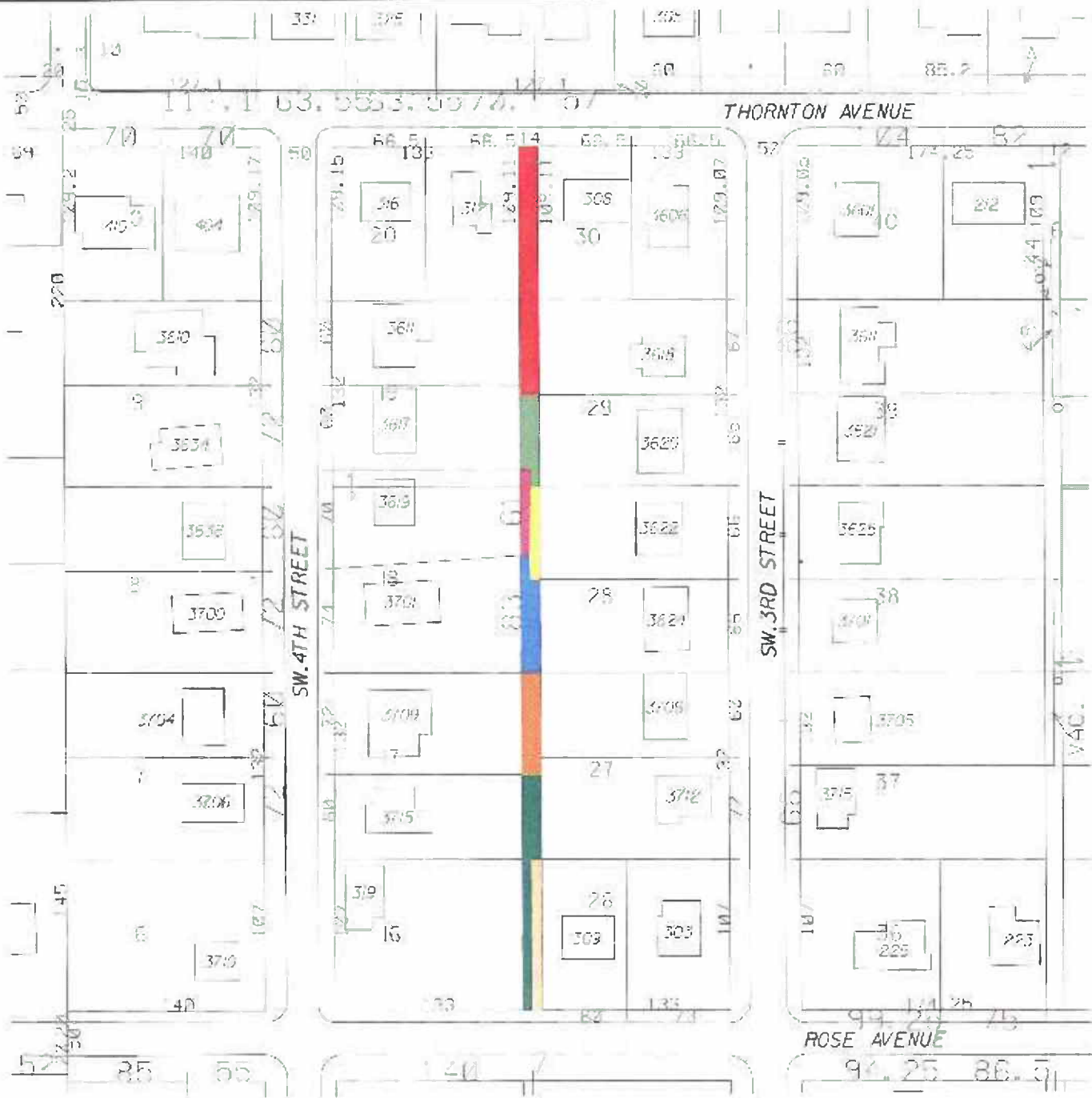
CERTIFICATE

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.

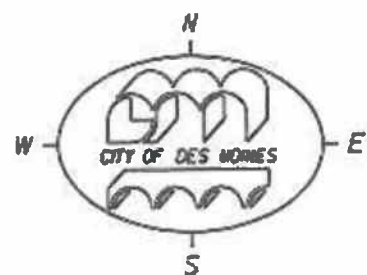
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk



- POLK CO. HEALTH
- McCULLOUGH
- MAHON
- MEANS
- LOVELESS
- BOOKHART
- BASS
- PIPER



PROPERTY DISPOSITION
N/S ALLEY BETWEEN SW 3RD & 4TH
& BETWEEN THORNTON AND ROSE
ACTIVITY I.D. 34-2008-015