

Date December 4, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF A SEGMENT OF MAHASKA PARKWAY BETWEEN LINCOLN PLACE DRIVE AND THE NORFOLK SOUTHERN RAILWAY, AND A PORTION OF LINCOLN PLACE DRIVE NORTH OF JOHN LYNDE ROAD, TO MATT AND JEANETTE GROHE FOR \$34,300

WHEREAS, on June 5, 2006, by Roll Call No. 06-1092, the City Council adopted a recommendation from the City Plan and Zoning Commission that a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde 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 segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway, and a portion of Lincoln Place Drive north of John Lynde Road, more specifically described as follows:

A portion of Lot 59 in Lincoln Grande, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as:

Commencing at the Southwest corner of said Lot 59; thence North 45°(Degrees) 52'(Minutes) 35"(Seconds) East along the South line of said Lot 59, 100.00 feet to the point of beginning; thence North 17°39'56" East, 23.07 feet; thence northwesterly along a 107.24 foot radius curve concave southwesterly, 120.39 feet, said curve having a chord length of 114.17 feet and a chord bearing of North 17°52'21" West; thence North 51°32'57" West, 59.80 feet to the West line of said Lot 59; thence northeasterly along the West line of said Lot 59 and along a non tangent 183.48 foot radius curve concave easterly, 149.82 feet, said curve having a chord length of 145.69 feet and a chord bearing of North 4°06'22" East; thence northeasterly along the West line of said Lot 59 and along a 184.24 foot radius curve concave northwesterly, 10.45 feet, said curve having a chord length of 10.45 feet and a chord bearing of North 26°28'43" East; thence northeasterly along the West line of said Lot 59 and along a 356.89 foot radius curve concave northwesterly, 34.97 feet, said curve having a chord length of 34.95 feet and a chord bearing of North 22°52'11" East; thence South 22°05'42" East, 212.41 feet; thence southwesterly along a 147.79 foot radius curve concave westerly, 170.79 feet to the point of beginning, said curve having a chord length of 161.44 feet and a chord bearing of South 12°03'06" West. Said tract of land contains 19,642 square feet.

DESCRIPTION REVIEWED  
11/27/06 15:09

Date December 4, 2006

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: Matt and Jeanette M. Grohe for \$34,300

A vacated portion of Lot 59 in Lincoln Grande, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, being more particularly described as:

Commencing at the Southwest corner of said Lot 59; thence North 45°(Degrees) 52'(Minutes) 35''(Seconds) East along the South line of said Lot 59, 100.00 feet to the point of beginning; thence North 17°39'56'' East, 23.07 feet; thence northwesterly along a 107.24 foot radius curve concave southwesterly, 120.39 feet, said curve having a chord length of 114.17 feet and a chord bearing of North 17°52'21'' West; thence North 51°32'57'' West, 59.80 feet to the West line of said Lot 59; thence northeasterly along the West line of said Lot 59 and along a non tangent 183.48 foot radius curve concave easterly, 149.82 feet, said curve having a chord length of 145.69 feet and a chord bearing of North 4°06'22'' East; thence northeasterly along the West line of said Lot 59 and along a 184.24 foot radius curve concave northwesterly, 10.45 feet, said curve having a chord length of 10.45 feet and a chord bearing of North 26°28'43'' East; thence northeasterly along the West line of said Lot 59 and along a 356.89 foot radius curve concave northwesterly, 34.97 feet, said curve having a chord length of 34.95 feet and a chord bearing of North 22°52'11'' East; thence South 22°05'42'' East, 212.41 feet; thence southwesterly along a 147.79 foot radius curve concave westerly, 170.79 feet to the point of beginning, said curve having a chord length of 161.44 feet and a chord bearing of South 12°03'06'' West. Said tract of land contains 19,642 square feet.

DESCRIPTION APPROVED  
11/28/06 15:00

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 18, 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.

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.

★ Roll Call Number

Agenda Item Number

20

Date December 4, 2006

Dispositions - Grohe: Page 3

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
 Ann DiDonato  
 Assistant City Attorney

*PDW*

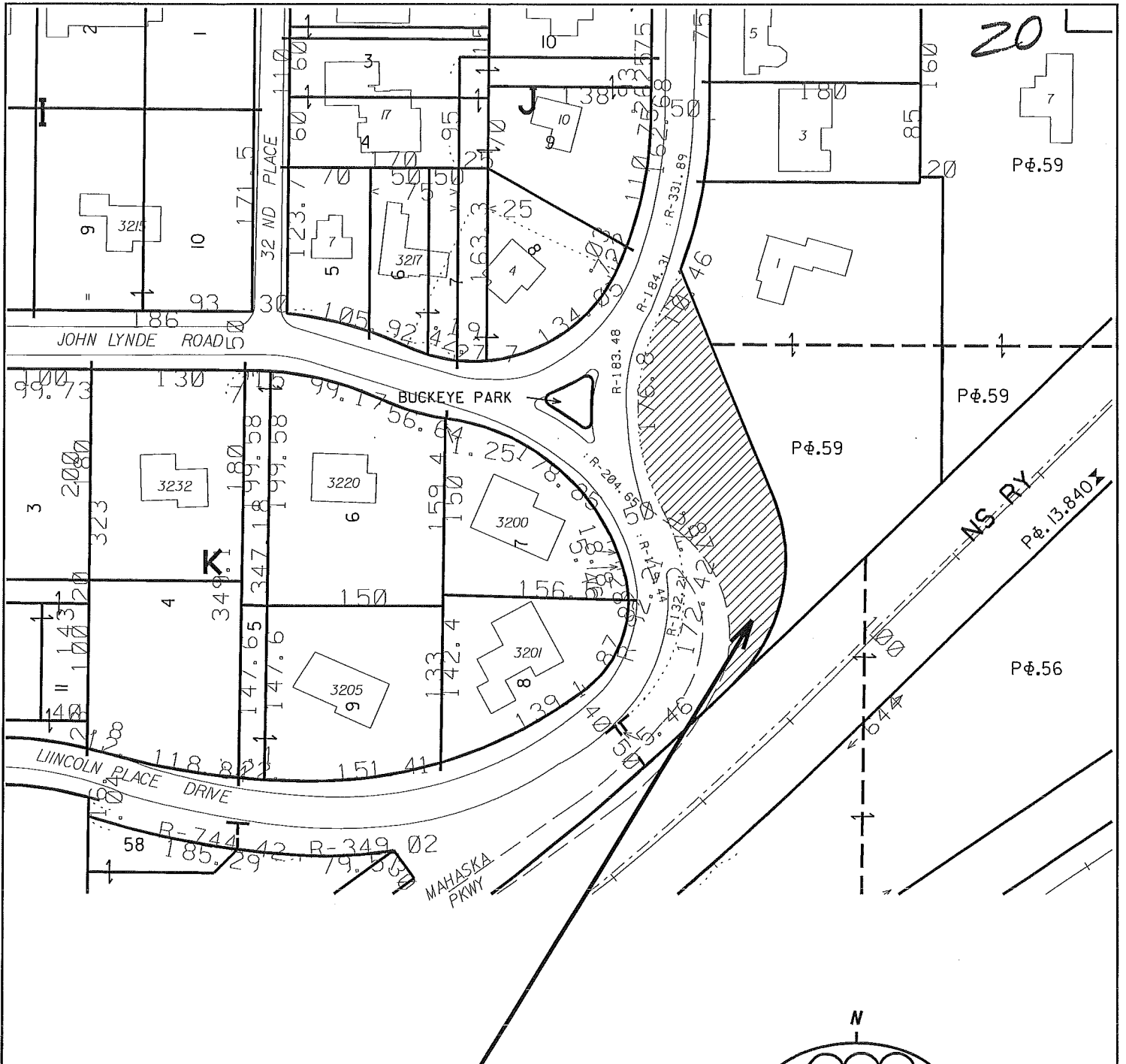
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

**CERTIFICATE**

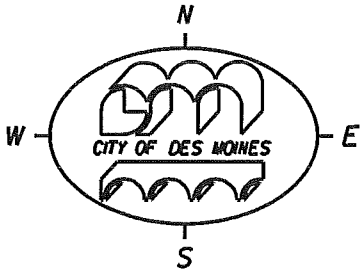
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

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



**PROPERTY  
LOCATION**



**PROPERTY DISPOSITION  
MAHASKA PKWY AND  
LINCOLN PLACE DRIVE/GROHE  
ACTIVITY I.D. 34-2007-006**