

Date February 28, 2011

SET HEARING FOR VACATION AND CONVEYANCE OF THE DEAD END PORTION OF CROCKER STREET WEST OF 19TH PLACE AND THE NORTH-SOUTH ALLEY WEST OF 19TH PLACE FROM MARTIN LUTHER KING, JR. PARKWAY TO LEYNER STREET, TO BENNETT PROPERTY MANAGEMENT, LLC FOR \$12,200 AND TO CAMERON SADEGHPOUR FOR \$50

WHEREAS, on February 28, 2011, by Roll Call No. _____, the City Council of the City of Des Moines received a recommendation from the City Plan and Zoning Commission that a portion of Crocker Street west of 19th Place, and the north-south alley west of 19th Place from and south of Martin Luther King Jr. Parkway and north of Leyner Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, Bennett Property Management, LLC is the owner of property abutting the above-described portion of Crocker Street, and the north portion of the above-described alley, and has offered to the City of Des Moines the purchase price of \$12,200.00 for the purchase of such property for expansion and incorporation with its existing site, subject to reservation of utility easements and a no-build restriction on the property, which purchase price reflects the restricted fair market value of the property as currently estimated by the City's Real Estate Division; and

WHEREAS, Cameron Sadeghpour is the owner of 1931 Leyner Street, which property abuts the south portion of the above-described alley, and has offered to the City of Des Moines the purchase price of \$50.00 for the purchase of such property for expansion and incorporation with his current residential property, which purchase price reflects the fair market value of the property as currently estimated by the City's Real Estate Division and in accordance with City policy.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

- 1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating a portion of Crocker Street west of 19th Place and the north-south alley west of 19th Place from and south of Martin Luther King Jr. Parkway and north of Leyner Street, more specifically described as follows:

ALL THAT PART OF CROCKER STREET LYING NORTH OF BLOCK B OF LEYNERS PLAT, AN OFFICIAL PLAT, AND LYING WEST OF THE WEST RIGHT OF WAY LINE OF 19TH PLACE AND EAST OF THE EAST RIGHT OF WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, AND ALL OF THE NORTH-SOUTH ALLEY LYING SOUTH OF MARTIN LUTHER KING JR. PARKWAY AND NORTH OF LEYNER STREET, ALL INCLUDED IN BLOCK B OF LEYNERS PLAT, 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 first decides to vacate the above described rights-of-way, the City of Des Moines proposes to sell such rights-of-way, as described below to the grantee(s) and for the consideration identified below:

Date February 28, 2011

To: Bennett Property Management, LLC for \$12,200.00:

ALL THAT VACATED PART OF CROCKER STREET LYING NORTH OF BLOCK B OF LEYNERS PLAT, AN OFFICIAL PLAT, AND LYING WEST OF THE WEST RIGHT OF WAY LINE OF 19TH PLACE AND EAST OF THE EAST RIGHT OF WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, AND THE NORTH-SOUTH ALLEY LYING SOUTH OF MARTIN LUTHER KING JR. PARKWAY AND NORTH OF LEYNER STREET EXCEPT THE SOUTH 115 FEET THEREOF, ALL INCLUDED IN BLOCK B OF LEYNERS PLAT, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

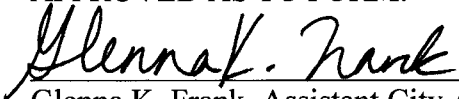
To: Cameron Sadeghpour for \$50.00:

ALL THE VACATED SOUTH 115 FEET OF THE NORTH-SOUTH ALLEY LYING SOUTH OF MARTIN LUTHER KING JR. PARKWAY AND NORTH OF LEYNER STREET, ALL INCLUDED IN BLOCK B OF LEYNERS PLAT, 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 March 14, 2011, 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 Section 362.3 of the Iowa Code.
5. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, SP767, ENG980500.

APPROVED AS TO FORM:

Moved by _____ to adopt.


 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

 Mayor

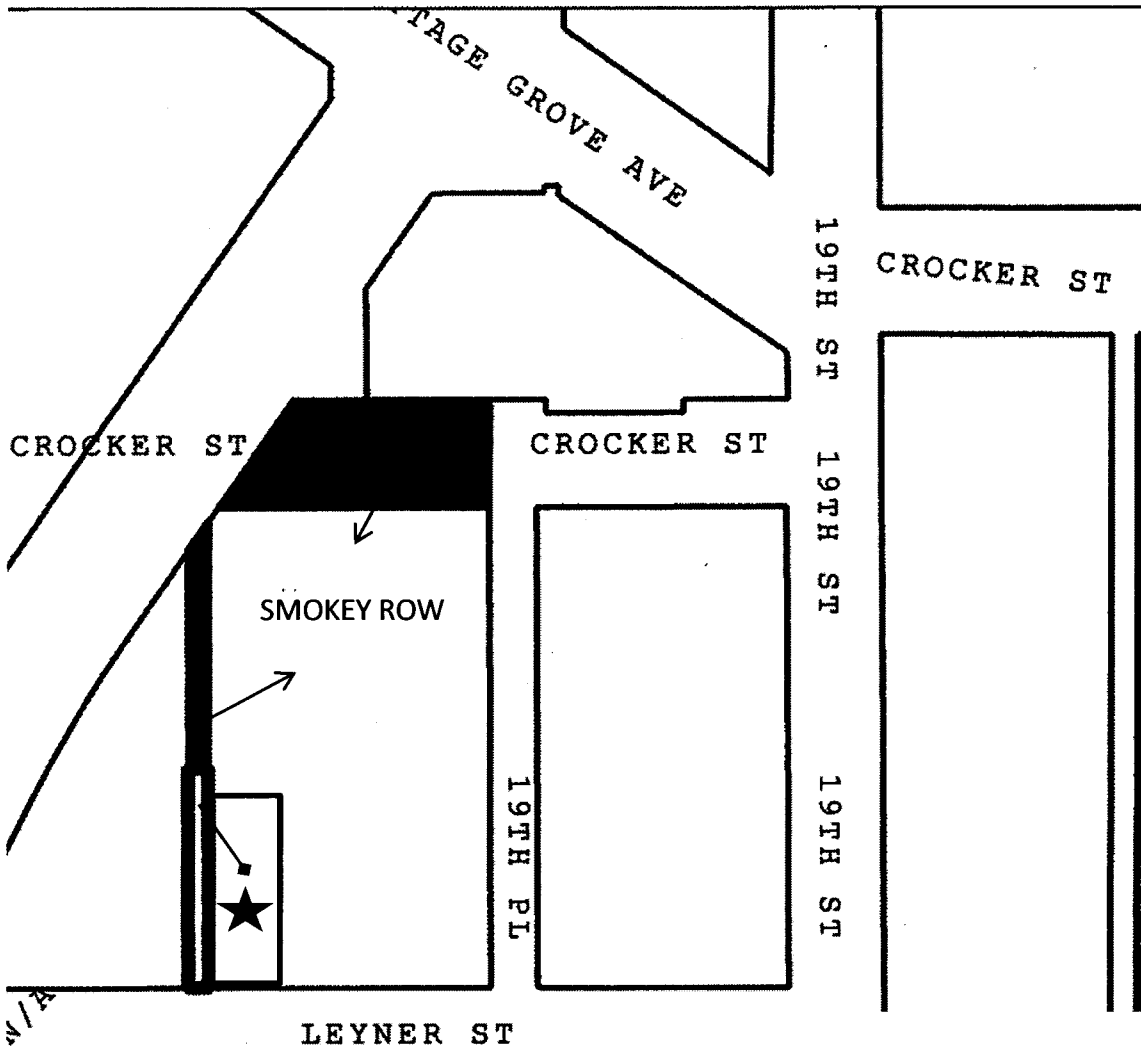
CERTIFICATE

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.

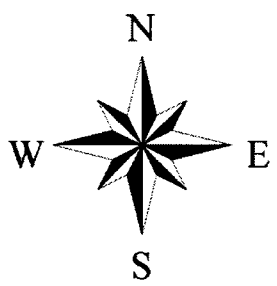
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

Vacate & Convey
A Portion of Crocker Street &
The North-South Alley West of 19th Place



★
South 115' of N/S Alley
conveyance to
Cameron Sadeghpour
1931 Leyner Street



REGISTER ORDER NO. _____ ROLL CALL LEGAL BULLETIN BOARD FOLLOW UP

NOTICE OF PROPOSAL TO VACATE AND CONVEY RIGHT-OF-WAY

NOTICE IS HEREBY GIVEN that the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating a portion of Crocker Street west of 19th Place, and the north-south alley west of 19th Place from and south of Martin Luther King Jr. Parkway and north of Leyner Street more specifically described as follows:

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NOTICE IS FURTHER GIVEN that the City Council has adopted a resolution relating to a proposal to sell and convey such right-of-way, as described below, to the grantee and for such consideration as identified below, if the City Council first decides to vacate such right-of-way:

To: Bennett Property Management, LLC for \$12,200.00:

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NOTICE IS FURTHER GIVEN, that the City Council will consider the adoption of the proposed vacation ordinance and approval of the proposed sale and conveyance after a public hearing to be held at 5:00 p.m., in the Council Chamber, 400 Robert D. Ray Drive, Des Moines, Iowa, on March 14, 2011. Copies of the proposed ordinance are available at the office of the City Clerk, City Hall, Des Moines, Iowa. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

PUBLISHED IN THE DES MOINES REGISTER ON _____.