

54E

Date February 28, 2011

SET HEARING FOR VACATION AND CONVEYANCE OF A SEGMENT OF MORTON AVENUE EAST OF AND INCLUDING A PORTION OF IDAHO STREET TO GRAND VIEW UNIVERSITY FOR \$12,150.00

WHEREAS, on February 14, 2011, by Roll Call No. 11-0209, the City Council received a recommendation from the City Plan and Zoning Commission that a portion of Morton Avenue east of and including a portion of Idaho Street, hereinafter more fully described, be vacated and sold, subject to reservation of easements for any public utilities in place to remain until such time as Grand View University either assumes private ownership of the facilities or relocates the utilities with creation of new public easements; and

WHEREAS, Grand View University is the owner of property abutting said City-owned right-of-way and has offered to the City of Des Moines the purchase price of \$12,150.00 for the purchase of such property for expansion and incorporation with its existing site, which purchase price reflects the fair market value of the property as currently estimated by the City's Real Estate Division.

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 Morton Avenue from and including a portion of Idaho Street to the east, more specifically described as follows:

All those parts of Lot A (Morton Avenue) and Lot B (Idaho Street) of Ball Park Heights, an official plat, lying east of the northerly extension of the west line of Lot 10 of said Ball Park Heights, 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 grantee and for the consideration identified below, subject to the reservation of easements for public utilities in place to remain until such time as grantee either assumes private ownership of the facilities or relocates the utilities with creation of new public easements:

To: Grand View University for \$12,150.00

All those vacated parts of Lot A (Morton Avenue) and Lot B (Idaho Street) of Ball Park Heights, an official plat, lying east of the northerly extension of the west line of Lot 10 of said Ball Park Heights, 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.

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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

PSU

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

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VACATE & CONVEY DISPOSITION to Grand View University For \$12,150.

