

Date November 7, 2011

RESOLUTION AUTHORIZING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED
FOR VACATED ALLEY ADJOINING 2913 E. 16th STREET

WHEREAS, by Ordinance No. 7078 passed May 25, 1964, the City of Des Moines vacated the North/South alley adjoining 2913 E. 16th Street, including that portion thereof more specifically described below; and,

WHEREAS, on June 29, 1964, by Roll Call No. 3201, the City Council approved the sale of the portion of the alley adjoining 2913 E. 16th Street, more specifically described below, to Carl P. Youngquist and Alice Youngquist for \$10.00, but the deed was not recorded and has been lost; and,

WHEREAS, Luther Care Services is now the sole owner of the property at 2913 E. 16th Street, and it and its predecessors in interest have held possession and paid taxes on such property and the adjoining half of the alley since 1964; and,

WHEREAS, Luther Care Services has requested the City issue to it a Replacement Quit Claim Deed for the adjoining half of the alley to remedy a title objection that has arisen from the unrecorded deed to Carl and Alice Youngquist; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the following described portion of the vacated alley adjoining 2913 E. 16th Street, to Luther Care Services, is hereby approved:

The West 8.0 feet of the vacated North/South alley right-of-way lying East of and adjoining Lot 4, in Lindquist Place Replat, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 7078 passed May 25, 1964.)

2. The Mayor is hereby authorized and directed to sign the Replacement Quit Claim Deed on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayors' signature.

(continued)

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3. The City Clerk is further authorized and directed to forward the original of the deed and Ground Water Hazard Statement for the conveyance, and a certified copy of this Resolution to the Legal Department for delivery to the grantee for recording.

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

C:\Rog\Vacate\Sales\Adair Holdings\RC Replacement Deed 2011-11-07.doc

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

1433 E. 16th Street

Sale of adjoining alley

Washington Ave



E. 16th Street

1433 E. 16th

McCormick-St

Cleveland Avenue

