

Date May 21, 2012

CONTINUANCE OF HEARING FOR VACATION AND CONVEYANCE OF A PORTION OF 15TH STREET AND OF A SUBSURFACE EASEMENT ALONG WALNUT STREET ADJOINING 1440 WALNUT STREET FOR THE CRANE BUILDING REDEVELOPMENT PROJECT FOR \$12,600

WHEREAS, on March 26, 2012, by Roll Call No. 12-0452, the City Council received the recommendation from the Plan and Zoning Commission to vacate an irregular segment of 15th Street right-of-way adjoining the property locally known as 1440 Walnut Street (Crane Building), subject to reservation of an easement for utilities currently in place until such time as they are abandoned or relocated; and

WHEREAS, on May 7, 2012, by Roll Call No. 12-0691, the City Council received the recommendation from the Plan and Zoning Commission to vacate a subsurface portion of Walnut Street adjoining the property locally known as 1440 Walnut Street (Crane Building), subject to reservation of easement for utilities currently in place; and

WHEREAS, MDI Limited Partnership #86 is the owner of the real property locally known as 1440 Walnut Street that abuts such right-of-way and has offered to the City of Des Moines the purchase price of \$12,600.00 for the vacation and purchase of a portion of 15th Street and of a permanent easement within the subsurface portion of City right-of-way along Walnut Street, both as legally described below, for the purpose of the Crane Building Redevelopment Project, which purchase price reflects the restricted use fair market value of the property interests as currently estimated by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need or benefit for the 15th Street right-of-way proposed to be vacated and sold, or for the subsurface portion of the right-of-way proposed to be vacated and sold by easement, and the City will not be inconvenienced by the vacation and sale of said property interests; and

WHEREAS, on May 7, 2012, by Roll Call No. 12-0692, it was duly resolved by the City Council that the proposed vacation and conveyance of such right-of-way be set down for hearing on May 21, 2012, at 5:00 p.m., in the Council Chamber; and

WHEREAS, due notice of said proposal to vacate and convey public right-of-way was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in order to complete negotiations relating to the subsurface agreement with MDI Limited Partnership #86, a continuance of the public hearing on said proposal until the Council meeting on June 11, 2012, has been requested.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the public hearing for vacation and conveyance of a portion of 15th Street and of a permanent easement within the subsurface portion of City right-of-way along Walnut Street be and is hereby continued to June 11, 2012, at 5:00 p.m. in the City Council Chambers.

Date May 21, 2012

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 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