

Date June 13, 2016

**SET HEARING FOR CONVEYANCE OF A PORTION OF VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LOCATED EAST OF AND ADJOINING 1653 CLEVELAND AVENUE TO JAMES AND DIEDRA D. CONLEY FOR \$25**

**WHEREAS**, on October 23, 1978, the City of Des Moines, Iowa, (“City”) approved Ordinance No. 9489 vacating the alley right-of-way located south of Cleveland Avenue between Sampson Street and East 17<sup>th</sup> Street east of and adjoining 1653 Cleveland Avenue, Des Moines, Iowa (“Property”), more particularly described below; and

**WHEREAS**, James Conley and Diedra D. Conley, owners of 1653 Cleveland Avenue, have offered to the City of Des Moines, Iowa, the purchase price of \$25.00 for the purchase of the portion of the vacated alley right-of-way lying east of and adjoining 1653 Cleveland Avenue for incorporation into their residential property, which price reflects the fair market value of said portion of vacated alley right-of-way as currently estimated by the City’s Real Estate Division; and

**WHEREAS**, the City has no known current or anticipated public need for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property.

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

1. The City Council of the City of Des Moines, Iowa, proposes to sell the vacated alley right-of-way located south of Cleveland Avenue between Sampson Street and East 17<sup>th</sup> Street east of and adjoining 1653 Cleveland Avenue, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantees: James Conley and Diedra D. Conley

Consideration: \$25.00

Legal Description: THE WEST HALF OF THE VACATED NORTH-SOUTH ALLEY RIGHT-OF-WAY LYING EAST OF AND ADJACENT TO LOT 202, WITTMER AND WELCH’S OFFICIAL PLAT OF THE SOUTH 50 ACRES OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 36-79-24, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; CONTAINING 350 SQUARE FEET.

(VACATED BY ORDINANCE NO. 9,489, PASSED OCTOBER 23, 1978).

2. A public hearing shall be held on June 27, 2016, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.

★ Roll Call Number

Agenda Item Number

25

Date June 13, 2016

3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

4. Non-project related land sale proceeds are used to support general operating budget expenses: Org - EG064090.

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

APPROVED AS TO FORM:

*Lisa A. Wieland*  
Lisa A. Wieland, Assistant City Attorney

PTW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

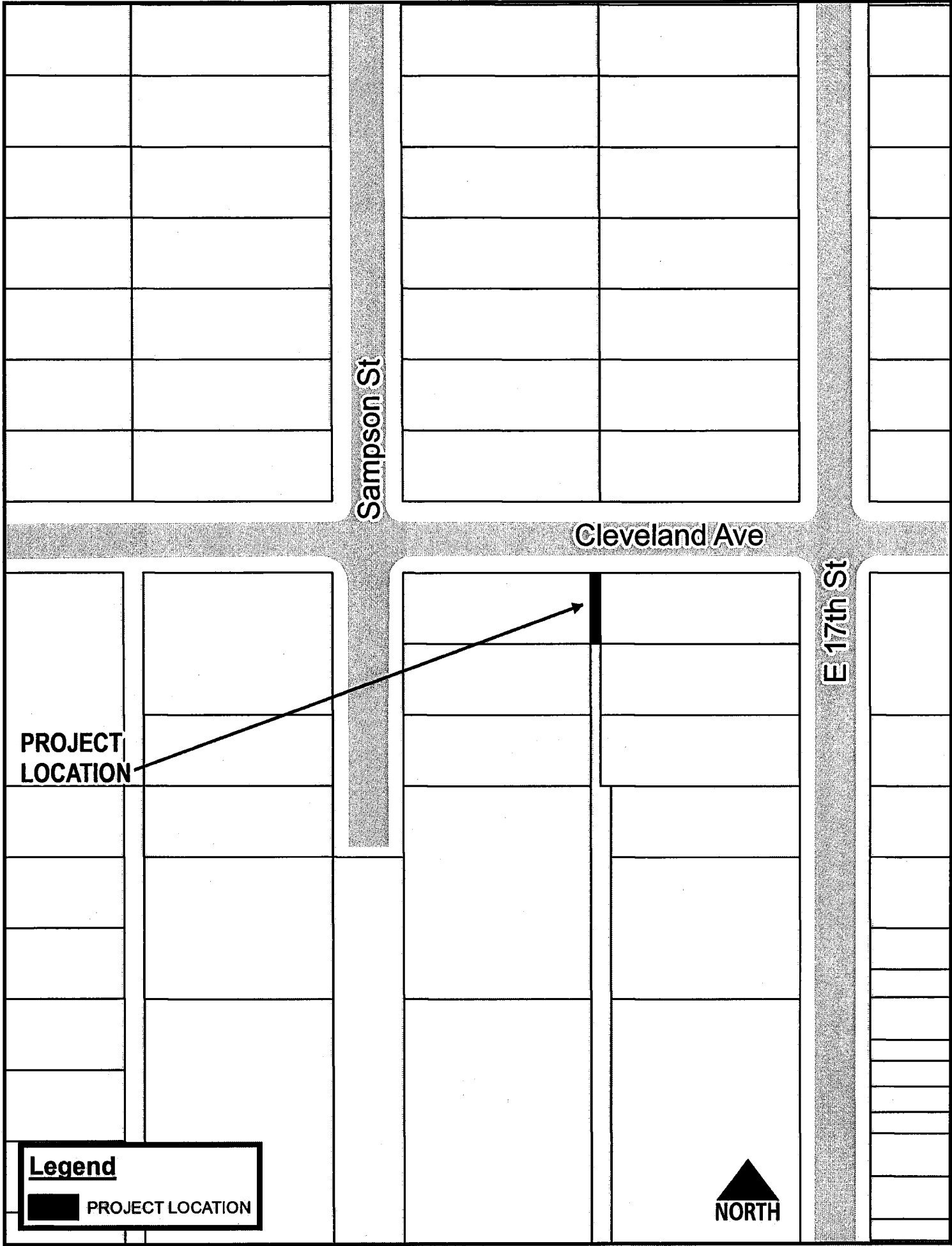
MOTION CARRIED APPROVED  
Mayor

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



PROJECT  
LOCATION

Sampson St

Cleveland Ave

E 17th St

**Legend**

PROJECT LOCATION

