

Date ..... October 24, 2016 .....

**SET HEARING FOR VACATION AND CONVEYANCE OF CITY-OWNED PROPERTY  
ADJOINING 3317 SE 23<sup>RD</sup> STREET TO GLENN T. NORTON AND MARYANN M.  
NORTON FOR \$7,500.00**

**WHEREAS**, Glenn T. Norton and Maryann M. Norton, the owners of 3317 SE 23rd Street, have offered to the City of Des Moines, Iowa ("City") the purchase price of \$7,500.00 for the purchase of City-owned public land ("Public Land"), which was originally dedicated for public open space and which adjoins the south property line of 3317 SE 23rd Street, for incorporation into their adjoining property, subject to the reservation of easements for all existing utilities in place, until such time that they are abandoned or relocated, and further subject to a no-build restriction, and the conveyance of a Permanent Easement for Sanitary Sewer to the City, which price reflects the restricted fair market value of said Public Land as currently determined by an independent appraisal; and

**WHEREAS**, there is no known current or future public need for the Public Land proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said Public Land.

**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, Iowa, shall consider adoption of an ordinance permanently vacating the Public Land, adjoining the south property line of 3317 SE 23<sup>rd</sup> Street, legally described as follows:

LOT Z, WOOD'S EDGE PLAT 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa;

2. The City Council of the City of Des Moines, Iowa, further proposes to sell said Public Land, adjoining the south property line of 3317 SE 23rd Street, as legally described and to the grantees and for the consideration identified below, subject to the reservation of easements for all existing utilities in place, until such time that they are abandoned or relocated, and further subject to a no-build restriction, and the conveyance of a Permanent Easement for Sanitary Sewer to the City:

Grantees: Glenn T. Norton and Maryann M. Norton

Consideration: \$7,500.00

Legal Description:

LOT Z, WOOD'S EDGE PLAT 2, 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 said Public Land is to be considered shall be on November 7, 2016, said meeting to be

★ **Roll Call Number**

Agenda Item Number

*56A*

Page 2

Date October 24, 2016

held 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.

- 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 §362.3 of the Iowa Code.
- 5. 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

*ASW*

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

**EXHIBIT A**

E Park Ave

SE 23rd St

**PROPERTY  
LOCATION**

LOT 2

WOOD'S EDGE PLAT 2

LOT 24

LOT 23

**Legend**

 PROPERTY LOCATION

