



Roll Call Number

Agenda Item Number

59

Date September 11, 2017

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY ADJOINING
1255 E. 21st STREET TO CINDY L. PALMER FOR \$150.00**

WHEREAS, the City of Des Moines is owner of a twenty foot wide strip of property lying north of and adjoining 1255 East 21st Street (hereinafter "Property"), more particularly described below; and

WHEREAS, Cindy L. Palmer, owner of the adjoining parcel at 1255 East 21st Street, has offered to the City the purchase price of \$150.00 for the purchase of the City's Property for incorporation into her residential 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 Permanent Easement for Storm Sewer and Surface Water Flowage, which price reflects the fair market value of the Property as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the Property proposed to be sold, and the City will not be inconvenienced by the sale of said Property; and

WHEREAS, on August 28, 2017, by Roll Call No. 17-1467, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance of the Property be set down for hearing on September 11, 2017, at 5:00 p.m., in the City Council Chambers; and

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

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the City-owned property located north of and adjoining 1255 East 21st Street, as described below, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the City-owned property located north of and adjoining 1255 East 21st Street, legally described as follows, to Cindy L. Palmer for \$150.00, and said conveyance be and is hereby approved, 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 Permanent Easement for Storm Sewer and Surface Water Flowage:



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THE NORTH 20 FEET OF LOT 1, HASKELL'S ADDITION TO GLENWOOD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. The Mayor is authorized and directed to sign the Offer to Purchase, Quit Claim Deed, and Permanent Easement for Storm Sewer and Surface Water Flowage being reserved by the City for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, and the Permanent Easement for Storm Sewer and Surface Water Flowage to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, and the Permanent Easement for Storm Sewer and Surface Water Flowage to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall deliver the original of the Quit Claim Deed and a copy of the Permanent Easement for Storm Sewer and Surface Water Flowage and the other documents to the grantee.
7. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



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(Council Communication No. 17- 659)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

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