

Date June 3, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCATED NORTH OF AND ADJOINING 601 KENYON AVENUE TO MCKAYLA D. SLOAN AND CALEB SLOAN FOR \$100.00

WHEREAS, on September 14, 2015, by Roll Call No. 15-1571, the City Council of the City of Des Moines, Iowa voted to authorize acquisition of the necessary right-of-way and easements for the Yeader Creek Grade Control Improvements Project; and

WHEREAS, on February 26, 2019, by Resolution No. 33-19, the Board of Supervisors of Polk County, Iowa voted to convey to the City of Des Moines the vacant Polk County property located north of and adjoining 601 Kenyon Avenue, Des Moines, Iowa (hereinafter "Property"), a portion of which was needed by the City of Des Moines for a storm water and surface water flowage easement for the Yeader Creek Grade Control Improvements Project; and

WHEREAS, McKayla D. Sloan and Caleb Sloan, owners of 601 Kenyon Avenue, have offered to the City of Des Moines ("City") the purchase price of \$100.00 for the purchase of the Property for assemblage with their property to create additional rear yard, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to a no-build easement over the entirety of the parcel, and a Permanent Easement for Storm Water and Surface Water Flowage easement over the northernmost portion of the parcel, which easement will be included in the Quit Claim Deed, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need or benefit 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, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to sell the excess City property located north of and adjoining 601 Kenyon Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein, and further subject to a no-build easement over the entirety of the parcel, and a Permanent Easement for Storm Water and Surface Water Flowage easement over the northernmost portion of the parcel:

Grantee: McKayla D. Sloan and Caleb Sloan

Consideration: \$100.00

Legal Description: -EX S 150F- E 69F W 75F LT 4 DU PONT PLACE



Roll Call Number

Agenda Item Number

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- 2. A public hearing shall be held on June 24, 2019, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, 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.
- 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 – E304PW99.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
 Ann DiDonato, Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

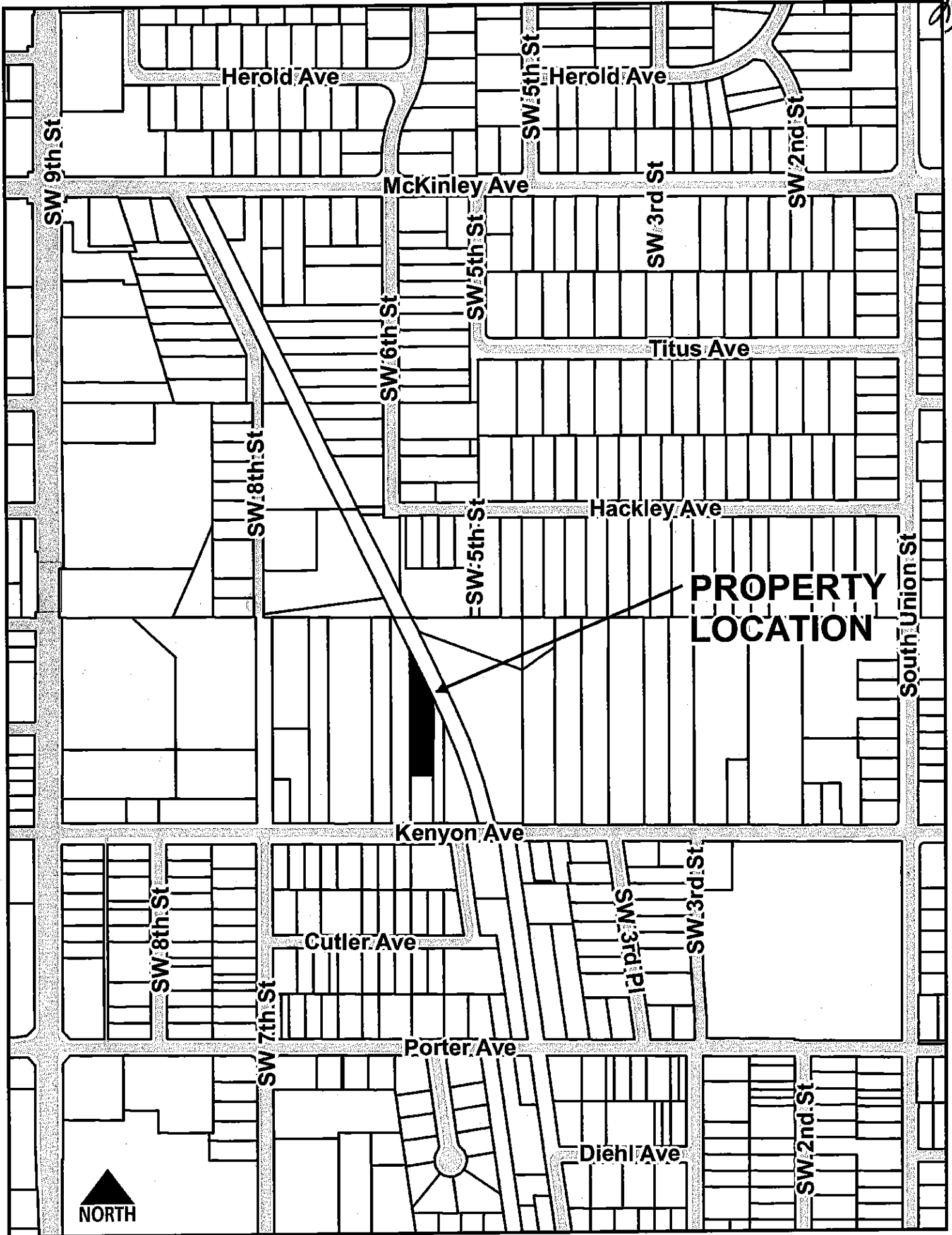
CERTIFICATE

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

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**PROPERTY
LOCATION**