

Date February 10, 2020

RESOLUTION APPROVING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED FOR VACATED ALLEY RIGHT-OF-WAY TO STEVE OSGOOD AND DODY OSGOOD

WHEREAS, on January 26, 1976, the City Council of the City of Des Moines, passed Ordinance No. 9025 vacating the alley right-of-way located west of and adjoining 2206 East 21st Street, Des Moines, Iowa; and

WHEREAS, on February 23, 1976, by Roll Call No. 920, a copy of which is attached hereto as Exhibit A, the City Council of the City of Des Moines, Iowa voted to approve the sale of the east half of said vacated alley to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, owners of 2206 East 21st Street for \$25.00, which price reflected the fair market value of the City property at the time; and

WHEREAS, the City of Des Moines received \$25.00 and issued a quit claim deed conveying the east half of the vacated alley to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, but no record exists of said deed being filed of record with the Polk County Recorder; and

WHEREAS, Steve Osgood and Dody Osgood are now the current owners of 2206 East 21st Street, and they and their predecessors in interest have had possession of and paid taxes on the portion of the alley adjoining said property since the City of Des Moines issued the quit claim deed in 1976; and

WHEREAS, Steve Osgood and Dody Osgood, as successors in interest to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, have asked the City of Des Moines to issue a Replacement Quit Claim Deed conveying the east half of the vacated alley to them in order to clear title to their property.

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

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the following described portion of the vacated alley adjoining 2206 East 21st Street, Des Moines, Iowa to Steve Osgood and Dody Osgood, as successors in interest to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, is hereby approved:

All of that part of the East 8 feet of the vacated 16-foot alley lying west of and adjoining Lot 7, Block 28, Easton Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa;

VACATED BY ORDINANCE NO. 9025, PASSED JANUARY 26, 1976.

3. The Mayor is authorized and directed to sign the Replacement Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.

★ **Roll Call Number**

Agenda Item Number

11

Date February 10, 2020

4. The City Clerk is authorized and directed to forward the original of the Replacement Quit Claim Deed, together with a certified copy of this resolution and a certified copy of Roll Call No. 76-920, 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 Replacement Quit Claim Deed, together with a certified copy of this resolution and a certified copy of Roll Call No. 76-920, 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 mail the original of the Replacement Quit Claim Deed and copies of the other documents to the grantee.
7. There are no proceeds associated with this conveyance.

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Lisa A. Wieland, Assistant City Attorney

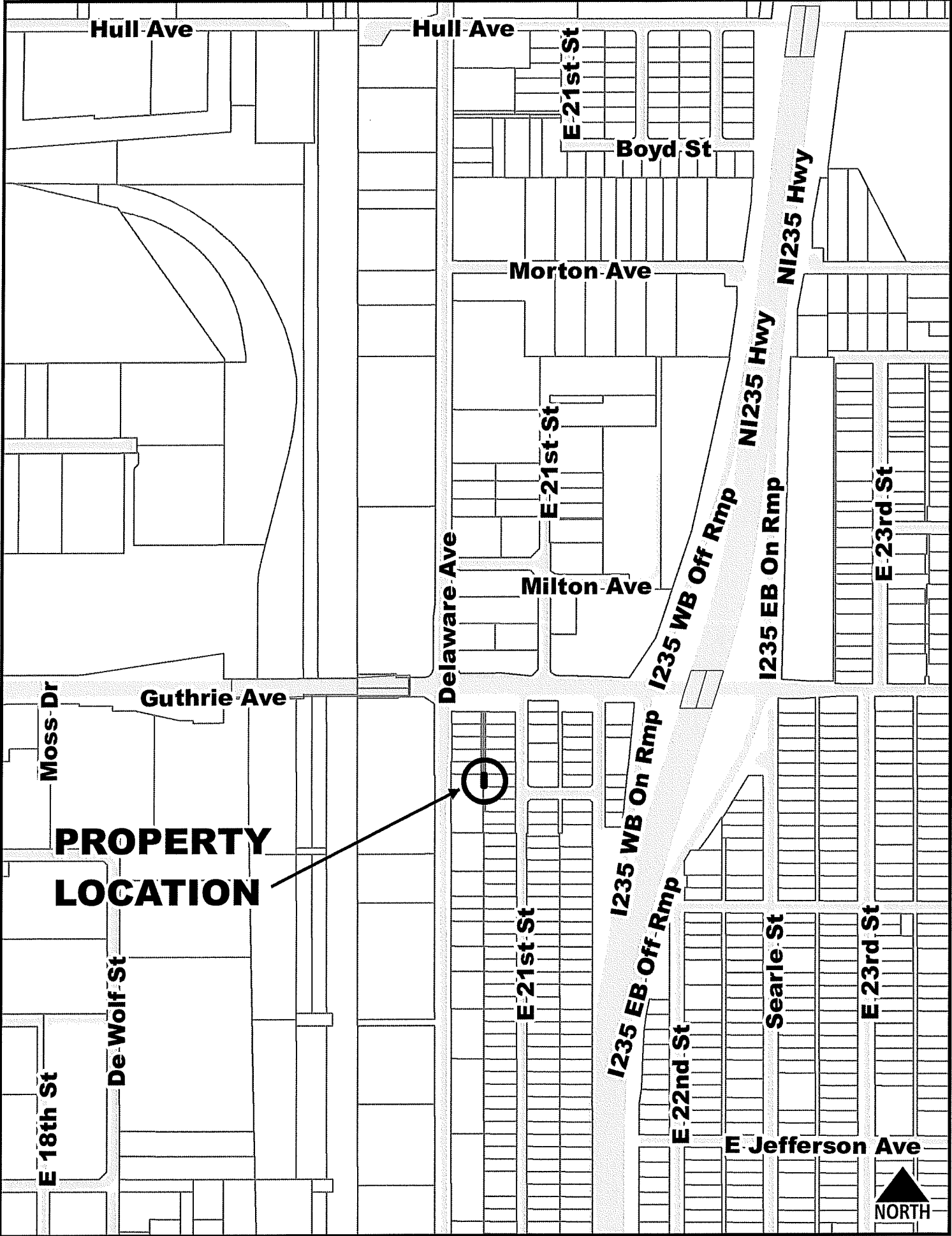
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, P. Kay Cmelik, 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



Hull Ave

Hull Ave

E 21st St

Boyd St

Morton Ave

NI 235 Hwy

E 21st St

Milton Ave

NI 235 Hwy

E 23rd St

Delaware Ave

I 235 WB Off Rmp

I 235 EB On Rmp

Moss Dr

Guthrie Ave

**PROPERTY
LOCATION**

E 21st St

I 235 WB On Rmp

I 235 EB Off Rmp

Searle St

E 23rd St

E 18th St

De Wolf St

E 22nd St

E Jefferson Ave



EXHIBIT A

★ Roll Call Number

920

Date February 23, 1976

WHEREAS, due legal and timely notice of proposal to sell and convey by Quit Claim Deed to the following named grantees for the total consideration of \$150.00, plus additional costs incidental to the publication of notice and the filing and recording of the deeds, the real estate hereinafter described, has been given in accordance with Roll Call No. 615 of February 2, 1976; and

WHEREAS, no objections have been filed or presented to such proposal; and

WHEREAS, the City Council deems it advisable to act favorably and finally upon said proposal; NOW, THEREFORE,

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

1. That the attached Quit Claim Deeds conveying the following described property situated in Polk County, Iowa, for the following consideration plus additional costs incidental to publication of notice and the filing and recording of deeds, be and is hereby approved as follows:

All of that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 7, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to RALPH G. REASONER, SR. and MILDRED C. REASONER, for a consideration of \$25.00; and

All that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 8, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to RENE SENECAUT, for a consideration of \$25.00; and

All of that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 9, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to JERRY A. TYLER, SR. and SHEILA K. TYLER, for a consideration of \$25.00; and

(Continued)

★ Roll Call Number

920

Date February 23, 1976

All of that part of the west 8 feet of the vacated 16 foot alley lying east of and adjoining Lots 24, 25 and 26, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to TRUSTEES FOR LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL NO. 177, for a consideration of \$75.00;

the City of Des Moines reserving right-of-way easements for all public utilities now in place, with right of entry for servicing same.

2. That the Mayor is hereby authorized and directed to sign said deeds on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.

3. Upon execution of the deeds and proof of payment of the consideration, the Mayor is hereby authorized and directed to deliver same to the City Clerk.

4. That immediately upon execution of said quit claim deeds, the City Clerk is authorized and directed to deliver said deeds to the respective grantees and to promptly certify a copy of the roll call authorizing the deeds together with a copy of said deeds to the County Auditor for the purpose of removing the property from its tax exempt status and placing it on the tax rolls.

Moved by Buss to adopt.

Form approved:

M. A. O. T.
Assistant City Attorney

COUNCIL ACTION:	YEAH	NAYS	PASS	ABSENT
BROOKS	✓			
BUSS	✓			
LA VINE	✓			
NAHAS	✓			
SCOTT	✓			
URBAN	✓			
OLSON	✓			
TOTAL	7	0	0	0
MOTION CARRIED	APPROVED			
	<u>P. E. Olson</u> Mayor			

CERTIFICATE

I, MARGARET VERNON, 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.

Margaret Vernon
City Clerk

13187 Follow Up

2-23-76

FEB 2 1976 615
FEB 23 1976 920

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NOTICE OF PROPOSAL TO DISPOSE OF REAL ESTATE

NOTICE IS HEREBY GIVEN that the City of Des Moines, Iowa, proposes to sell and convey by quit claim deed the following described real estate situated in Polk County, Iowa, to-wit:

All of that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 7, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to RALPH REASONER, SR. and MILDRED C. REASONER, for a consideration of \$25.00;

All that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 8, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to RENE and EDNA M. SENECAUT, for a consideration of \$25.00;

All of that part of the east 8 feet of the vacated 16 foot alley lying west of and adjoining Lot 9, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to JERRY A. TYLER, SR. and SHEILA K. TYLER, for a consideration of \$25.00;

All of that part of the west 8 feet of the vacated 16 foot alley lying east of and adjoining Lots 24, 25 and 26, Block 28, "Easton Place", an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa (vacated by Ordinance No. 9025, passed January 26, 1976) to TRUSTEES FOR LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL NO. 177, for a consideration of \$75.00.

NOTICE IS FURTHER GIVEN that at a meeting of the City Council of the City of Des Moines, to be held at 6:30 p.m., in the Council Chamber, City Hall, Des Moines, Iowa, on February 23, 1976, the City Council will act upon said proposal.

CITY OF DES MOINES, IOWA

Attest:

By R. E. Olson
Mayor

Margaret Vernon
City Clerk

Published in the Des Moines Tribune February 6, 1976.

City Treasurer's Office

FEB 23 1976 920
405309

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Des Moines, Iowa 2-11 19 76
Received of Aene Senecaut \$ 25.00

TEASER REF. CTY. 9525 INVT. 0000000000
In payment of Vacation & Conveyance of alley 100 Dollars
between Delaware & E. 21st

Fund _____
Treasurer,
or W. Johnson Deputy.

City Treasurer's Office

FEB 23 1976 920
405307

Des Moines, Iowa 2-11 19 76
Received of Laboris Intl Union of N.A. \$ 75.00

TEASER REF. CTY. 9575 INVT. 0000000000
In payment of Vacation & Conveyance of alley 100 Dollars
between Delaware & E. 21st

Fund _____
Treasurer,
or W. Johnson Deputy.

City Treasurer's Office

FEB 23 1976 920
405308

Des Moines, Iowa 2-11 1976
Received of Jerry & Sheila Lybe \$25.00
TREASURER-CITY OF DES MOINES IOWA 25 1000000 CTS

In payment of Vacation and conveyance of alley
between Delaware & E. 21st

Fund _____
Treasurer, _____
or Dean Johnson Deputy.

City Treasurer's Office

FEB 23 1976 920
405310

Des Moines, Iowa 2-11 1976
Received of Ralph & Mildred Reasoner \$25.00
TREASURER-CITY OF DES MOINES IOWA 25 1000000 CTS

In payment of Vacation & conveyance of alley
between Delaware & E. 21st

Fund _____
Treasurer, _____
or Dean Johnson Deputy.

CITY OF DES MOINES, IOWA

FEB 23 1976 920

Office of
Legal Department

TO Margaret Vernon
City Clerk

FROM Steven K. McGuire
Assistant City Attorney

DATE February 23, 1976

SUBJECT:
Quit Claim deed to:
Mr. & Mrs. Ralph Reasoner
Mr. Rene Senecaut
Mr. and Mrs. Jerry A. Tyler
Trustees for Laborers' Internatl.
Union of N.A., Local No. 177

The deed(s) and roll call approving same have been submitted to your office for placement on the agenda for hearing at the Council meeting to be held February 23, 1976.

The consideration for said conveyance(s) is \$ 150.00 and attached to the roll call you will find City Treasurer receipt(s) in the sum of \$ 150.00.

This leaves a balance due in the amount of \$ None plus the publication costs at the time of the release of the deed(s).

STEVEN K. MCGUIRE
Assistant City Attorney

SKM:vw

Our correspondence with regard to this matter has been with:

Mr. & Mrs. Ralph Reasoner
2206 E. 21st Street
Des Moines, Iowa

Mr. & Mrs. Jerry A. Tyler
2128 East 21st Street
Des Moines, Iowa

Mr. Rene Senecaut
2204 East 21st Street
Des Moines, Iowa

Mr. Robert E. Conley
Attorney-at-Law
Suite 340 Key Bldg.
Des Moines, Iowa
(Attorney for the Union)