



Roll Call Number

Agenda Item Number

19

Date August 9, 2021

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED WEST OF AND ADJOINING 2003 CENTER STREET TO DAVID A. CLASON AND MARGARET J. CLASON, TRUSTEES OF THE DAVID A. CLASON AND MARGARET J. CLASON TRUST DATED OCTOBER 21, 2003 FOR \$50.00

WHEREAS, on October 16, 2000, by Roll Call No. 00-3999, the City Council of the City of Des Moines, Iowa voted to approve and accept from Polk County, Iowa, Quit Claim Deeds for 2117 Olive Avenue and 2005 Center Street for the Martin Luther King, Jr. Parkway Project; and

WHEREAS, on April 22, 2002, by Roll Call No. 02-992, the City Council of the City of Des Moines, Iowa voted to approve and accept from Polk County, Iowa, Form of Quit Claim Deeds for 2004 Leyner Street and 932 19th Place for the Martin Luther King, Jr. Parkway Project; and

WHEREAS, on July 28, 2008, by Roll Call No. 08-1309, the City Council of the City of Des Moines, Iowa voted to pass a resolution accepting and approving the Plat of Survey dedicating street right-of-way for the east/west and north/south segments of Martin Luther King, Jr. Parkway Project, and identifying the excess property for the Project; and

WHEREAS, said Plat of Survey was subsequently filed of record with Polk County Recorder’s Office on August 1, 2008 in Book 12736, Page 582; and

WHEREAS, David A. Clason and Margaret J. Clason, Trustees of the David A. Clason and Margaret J. Clason Revocable Family Trust dated October 21, 2003, owner of 2003 Center Street, has offered to the City of Des Moines (“City”) the purchase price of \$50.00 for the purchase of the portion of excess City property lying west of and adjoining its property at 2003 Center Street (hereinafter “Property”), for assemblage with 2003 Center Street, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, 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 City 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 portion of excess City property lying west of and adjoining 2003 Center Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: David A. Clason and Margaret J. Clason, Trustees of the David A. Clason and Margaret J. Clason Revocable Family Trust dated October 21, 2003

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Consideration: \$50.00

Legal Description: ALL THAT PART OF DISPOSAL PARCEL 8 LYING WITHIN LOTS 6 AND 7, BLOCK E, LEYNER'S PLAT OF TOWN LOTS AND STREETS, AN OFFICIAL PLAT, SAID DISPOSAL PARCEL 8 BEING ON PLAT OF SURVEY RECORDED IN BOOK 12736 PAGE 582 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.03 ACRES (1,341 SQUARE FEET).

2. A public hearing shall be held on August 23, 2021, 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.

In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. August 19, 2021 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

Please check the posted agenda in advance of the August 23, 2021 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

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. Proceeds from this sale will be deposited into the Southeast Connector Project ST256, Org: ENG990000.

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Moved by _____ to adopt.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

PW

| 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

