

Date February 5, 2024

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF
VACATED ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING
1321 EAST OAK PARK AVENUE TO BRADLEY MURRAY AND DANIELLE
BROOME FOR \$25.00**

WHEREAS, on January 8, 2024, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 16,315 vacating a dead-end section of alley right-of-way located in the block bounded by E. Oak Park Avenue to the north, E. Ovid Avenue to the south and York Street to the east, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, Bradley Murray and Danielle Broome, the owners of 1321 E. Oak Park Avenue, Des Moines, Iowa, have offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of the portion of vacated alley right-of-way located south of and adjoining 1321 E. Oak Park Avenue, for assemblage with their adjoining property, 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 for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

WHEREAS, on January 22, 2024 by Roll Call No. 24-0113, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on February 5, 2024, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to convey the Property was given to all necessary parties 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, as follows:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the vacated alley right-of-way lying south of and adjoining 1321 E. Oak Park Avenue, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the vacated alley right-of-way lying south of and adjoining 1321 E. Oak Park Avenue, Des Moines, Iowa, as legally described, to

Date February 5, 2024

the grantee, and for the consideration identified below, subject to a reservation of easements therein and said conveyance is hereby approved:

Grantee: Bradley Murray and Danielle Broome

Consideration: \$25.00

Legal Description:

THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 25, MANN'S 2ND ADDITION TO HIGHLAND PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 350 SQUARE FEET.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed 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, 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, 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 Quit Claim Deed and copies of the other documents to the grantee.
7. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



Roll Call Number

Agenda Item Number

37

Date February 5, 2024

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

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

CERTIFICATE

I, Laura Baumgartner, 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
Laura Baumgartner

E Oak Park Ave

EXHIBIT A

1321
E Oak Park Ave

MANN'S 2ND ADDITION TO HIGHLAND PARK

LOT 20

LOT 21

LOT 22

LOT 23

LOT 24

LOT 25

WEST LINE
OF LOT 25

EAST LINE
OF LOT 25

VAC ALLEY

VAC ALLEY

York St

CENTERLINE
OF VAC ALLEY

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

Legend

 AREA TO BE CONVEYED



E Ovid Ave