

Date February 19, 2024

SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF 3312 8TH STREET, THE PROPERTY LOCATED SOUTH OF AND ADJOINING 3400 8TH STREET AND CONVEYANCE TO THE CITY DES MOINES IOWA MUNICIPAL HOUSING AGENCY FOR \$1.00

WHEREAS, on May 20,2019, by Roll Call No. 19-0791, the City Council of the City of Des Moines, Iowa voted to approve the acquisition of the necessary property interests for the 2019 City-wide Sewer and Surface Water Flowage Repair project, hereinafter (“Project”); and

WHEREAS, as part of the Project, the City acquired the property located at 3312 8th Street from Randy Schuh; and

WHEREAS, The City of Des Moines, Iowa Municipal Housing Agency, has requested the vacation of 3312 8th Street located south of and adjoining its property at 3400 8th Street; and

WHEREAS, **City of Des Moines, Iowa Municipal Housing Agency**, 3400 8th Street, Des Moines, has offered to the City of Des Moines (“City”) the purchase price of \$1.00 for the purchase of the vacated 3312 8th Street property lying south of and adjoining its property at 3400 8th Street, for assemblage with 3400 8th 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, The City reserves a permanent easement upon, over and within the west 50 feet of the property, for storm sewer and surface water flowage, legally described as; and

-EXCEPT THE EAST 80.0 FEET THEREOF-, LOTS TWO (2) AND THREE (3) AND THE 50 FEET IMMEDIATELY WEST OF AND ADJACENT TO SAID LOTS 2 AND 3 IN MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT, (ALSO DESCRIBED AS L.M. MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 10,175 SQUARE FEET

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. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating 3312 8th Street, legally described as follows:

.....
Date..... February 19, 2024

LOTS TWO (2) AND THREE (3) AND THE 50 FEET IMMEDIATELY WEST OF AND ADJACENT TO SAID LOTS 2 AND 3 IN MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT, (*ALSO DESCRIBED AS L.M. MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT*), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.33 ACRES (14,175 SQUARE FEET).

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated property at 3312 8th Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee:	City of Des Moines, Iowa Municipal Housing Agency
Consideration:	\$1.00
Legal Description:	

LOTS TWO (2) AND THREE (3) AND THE 50 FEET IMMEDIATELY WEST OF AND ADJACENT TO SAID LOTS 2 AND 3 IN MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT, (*ALSO DESCRIBED AS L.M. MANN’S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT*), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.33 ACRES (14,175 SQUARE FEET).

2. A public hearing shall be held on March 4, 2024, 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 – EG064090.

 **Roll Call Number**

Agenda Item Number

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Date February 19, 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	

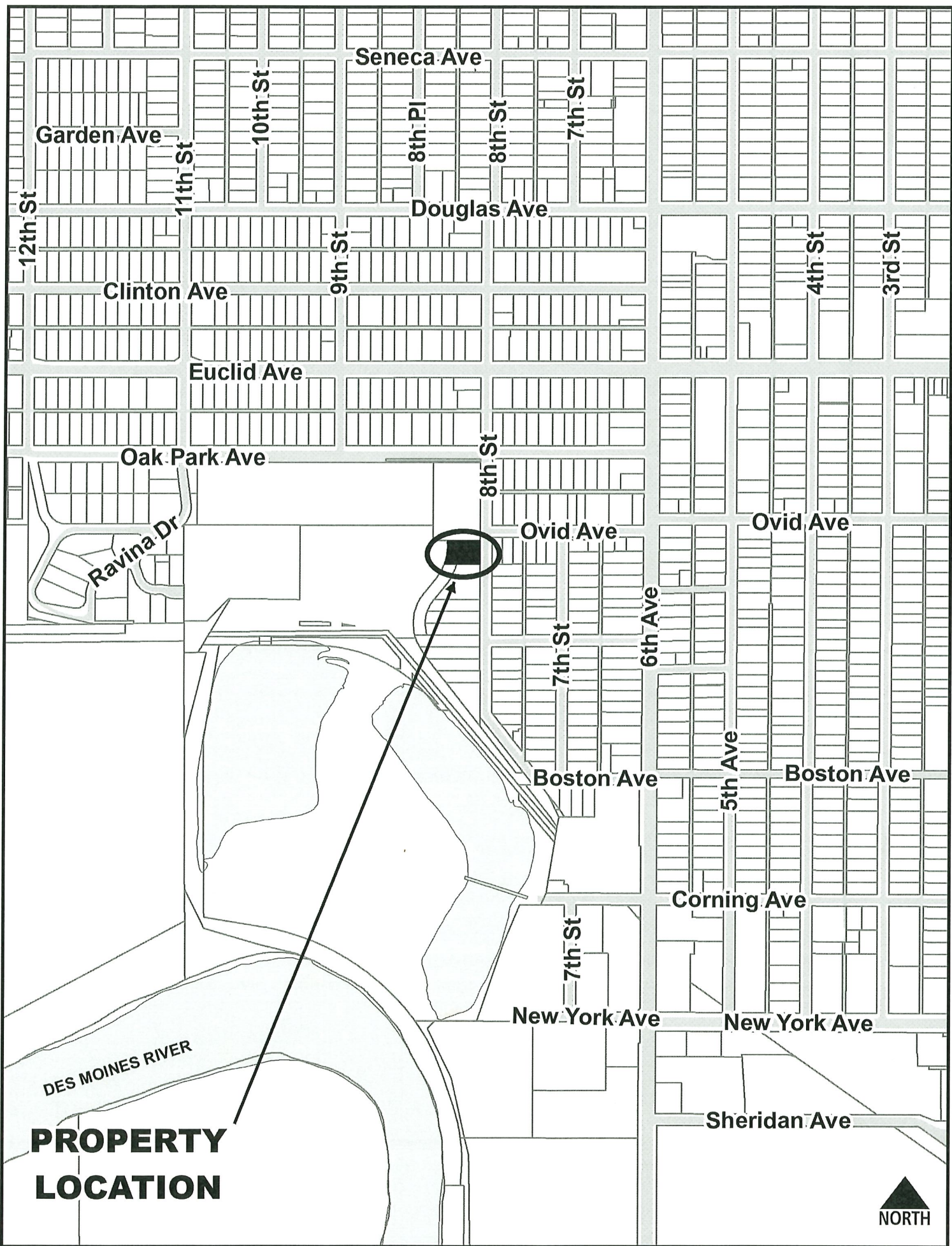
CERTIFICATE

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.

Mayor

Laura Baumgartner, City Clerk



**PROPERTY
LOCATION**

