

Date August 4, 2025

**HOLD HEARING FOR CONVEYANCE OF THE WEST HALF OF THE VACATED
NORTH/SOUTH ALLEY RIGHT-OF-WAY ADJOINING 2417 EAST 23RD STREET TO
WILLIAM A. BIEGHLER AND DIANA M. BIEGHLER FOR \$50.00**

WHEREAS, on May 3, 1982, by Roll Call 82-1848, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 10,121 vacating all of the north/south alley right-of-way lying east of and adjoining the north 10.0 feet of Lot 128 and lying east of and adjoining Lots 129 through 142 inclusive, Willoughby Place, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, William A. Bieghler and Diana M. Bieghler, owners of 2417 East 23rd Street, Des Moines, Iowa have offered to the City of Des Moines (“City”) the purchase price of \$50.00 for the purchase of the west half of the vacated north/south alley right-of-way adjoining 2417 East 23rd Street (“Property”), for assemblage with 2417 East 23rd 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 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 July 14, 2025 by Roll Call No. 25-0974, 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 August 4, 2025 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; 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 west half of the vacated north/south alley right-of-way adjoining 2417 East 23rd Street, Des Moines, Iowa, as legally described, are hereby overruled and the hearing is closed.

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2. There is no public need or benefit for the vacated alley right-of-way proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the west half of the vacated north/south alley right-of-way adjoining 2417 East 23rd Street, Des Moines, Iowa, as legally described, to the grantee and for the consideration identified below, subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated, and said conveyance is hereby approved:

Grantee: William A. Bieghler and Diana M. Bieghler

Consideration: \$50.00

Legal Description:

THE WEST 1/2 OF THE VACATED NORTH/SOUTH ALLEY LYING EAST OF AND ADJOINING LOTS 139 AND 140, WILLOUGHBY PLACE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 640 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 a copy 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

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Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
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

City Clerk

