

Date March 23, 2026

**SET HEARING FOR CONVEYANCE OF VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY ADJOINING 1450, 1444, AND 1442 2<sup>ND</sup> PLACE TO NATASHA ZAGAR, JAVIER A. SERVELLON INGLES, AND USA PROPERTIES LLC FOR \$125**

**WHEREAS**, on December 18, 2017, by Roll Call No. 17-2189, the City Council of the City of Des Moines, Iowa passed Ordinance No. 15,637 vacating the east-west and north-south portions of undeveloped alley in the block bounded by Clark Street, 2<sup>nd</sup> Place, Forest Avenue and 4<sup>th</sup> Street, in the vicinity of 335 Forest Avenue, including that portion lying west of and adjoining 1450, 1444 and 1442 2<sup>nd</sup> Place, subject to the reservation of easements for continued use and maintenance of any utilities then in place with right of entry for servicing same; and

**WHEREAS**, Natasha Zagar, owner of 1450 2<sup>nd</sup> Place, has offered to the City of Des Moines, Iowa (“City”) the purchase price of \$50.00 for the purchase of the portion of alley right-of-way adjoining her property at 1450 2<sup>nd</sup> Place; and Javier A. Servellon Ingles, owner of 1444 2<sup>nd</sup> Place, has offered to the City the purchase price of \$25.00 for the purchase of the portion of alley right-of-way adjoining his property at 1444 2<sup>nd</sup> Place; and USA Properties LLC, owner of 1442 2<sup>nd</sup> Place, has offered to the City the purchase price of \$50.00 for the purchase of the portion of alley right-of-way adjoining their property at 1442 2<sup>nd</sup> Place (hereinafter collectively “Property”), for incorporation into their respective residential properties, 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 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, that:

1. The City Council of the City of Des Moines, Iowa, proposes to sell the portion of vacated alley right-of-way located west of and adjoining 1450, 1444 and 1442 2nd Place, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Natasha Zagar

Consideration: \$50.00

Legal Description: ALL OF THE VACATED 7.50 FEET WIDE NORTH/SOUTH ALLEY RIGHT OF WAY IN BATES’ SECOND ADDITION, AN OFFICIAL PLAT, LYING EAST OF AND ADJOINING LOT 85 OF SAID BATES’ SECOND ADDITION; AND ALL OF LOT “A” LYING WEST OF AND ADJOINING LOT 61, ALL IN MARSHALL’S SECOND ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 700 SQUARE FEET.

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Grantee: Javier A. Servellon Ingles

Consideration: \$25.00

Legal Description: ALL OF THE 7.50 FEET WIDE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY IN BATES' SECOND ADDITION, AN OFFICIAL PLAT, LYING EAST OF AND ADJOINING LOT 84 OF SAID BATES' SECOND ADDITION, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 375 SQUARE FEET.

Grantee: USA Properties LLC

Consideration: \$50.00

Legal Description: ALL OF THE VACATED 7.50 FEET WIDE NORTH/SOUTH ALLEY RIGHT OF WAY IN BATES' SECOND ADDITION, AN OFFICIAL PLAT, LYING EAST OF AND ADJOINING LOT 83 OF SAID BATES' SECOND ADDITION; AND ALL OF LOT "A" LYING WEST OF AND ADJOINING LOT 63, ALL IN MARSHALL'S SECOND ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 700 SQUARE FEET.

2. A public hearing shall be held on April 6, 2026, at 5:00 p.m. in the City Council Chamber, T.M. Franklin Cownie City Administration Building, 1200 Locust Street, 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 March 23, 2026

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_.

APPROVED AS TO FORM:

/s/ Grant Hyland
Grant Hyland, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, BARRON, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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.

MOTION CARRIED APPROVED

Mayor

Laura Baumgartner, City Clerk

