

★ Roll Call Number
08.556

Agenda Item Number
15

Date April 7, 2008

RESOLUTION AUTHORIZING ISSUANCE OF A CURATIVE QUIT CLAIM DEED
TO THE STATE OF IOWA FOR VACATED E. 13th STREET COURT RIGHT-OF-WAY

WHEREAS, by Ordinance No. 4336 passed July 23, 1936, the City of Des Moines vacated the portion of E. 13th Street Court south of Vine Street more specifically described below, and directed that such vacated right-of-way be conveyed to the State of Iowa in exchange for other land then desired by the City; and,

WHEREAS, the land desired by the City was conveyed to the City by the State of Iowa, but the deed for the conveyance of the portion of vacated E. 13th Street Court described below to the State of Iowa was not recorded and has apparently been lost; and,

WHEREAS, the State of Iowa has requested the City issue a Curative Quit Claim Deed for the portion of vacated E. 13th Street Court described below to replace the lost deed; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The Curative Quit Claim Deed conveying to the State of Iowa the City's interest, if any, in the following described portion of the vacated E. 13th Street Court right-of-way south of Vine Street, is hereby approved:

DESCRIPTION APPROVED
[Signature]
7/12/2008 15:17

East Thirteenth Street Court from the South line of Vine Street to the South line of Lot 1, Official Plat of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 3, Township 78, Range 24, West of the 5th P.M., and the South 236 feet of the West Half (W 1/2) of Lot 31, Brooks and Company's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 4336 passed July 23, 1936.)

2. The Mayor is hereby authorized and directed to sign the Curative Quit Claim Deed on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayors' signature.

(continued)

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3. The City Clerk is further authorized and directed to forward the original of the deed, and a certified copy of this Resolution to the Real Estate Division for delivery to the grantee for recording.

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			1

MOTION CARRIED APPROVED
Christina L. Healey
 Mayor MAYOR PRO TEM

CERTIFICATE

I, DIANE RAUH, 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.
Diane Rauh City Clerk