

★ Roll Call Number

08-875

Agenda Item Number

27

Date May 19, 2008

**SET HEARING FOR CONVEYANCE OF VACATED COURT AVENUE EAST OF
EAST 19TH STREET TO C&C REALTY LLC FOR \$1,570.00**

WHEREAS, the City of Des Moines owns real property in the vicinity of Court Avenue east of East 19th Street ("Property"), more particularly described as:

That part of Vacated East Court Avenue right-of-way Vacated by Ordinance No 9258, April 18, 1977, lying North Lot 1, of the Official Plat of Lot 20, Brooks and Co's Addition and lying easterly of the northerly extension of the East right-of-way line of Vacated East 19th Street. Beginning at the Northwest corner of said Lot 1; thence East along the South right-of-way line of vacated East Court Avenue 98.32 feet thence northeasterly to the North right-of-way line of vacated Court Avenue being 214.23 feet East of the East right-of-way line of Vacated East 19th Street; and being the South line of Lot 3 of said Brooks and Co's Addition; thence West along the North right-of-way line of vacated East Court Avenue 214.23 feet to the East right-of-way line of East 19th Street; thence South along the northerly extension of the East line of vacated East 19th Street to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and

WHEREAS, on April 18, 1977, by Roll Call No. 1456, the City Council passed Ordinance No. 9528 vacating the Property; and

WHEREAS, C&C Realty LLC owns property adjacent to the subject Property and requested the landlocked Property be conveyed and incorporated into their existing business; and

WHEREAS, the City of Des Moines has no current or anticipated public need for the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City of Des Moines, Iowa proposes to convey the Property described above to C&C Realty LLC for \$1,570.00.
2. That the meeting of the City Council at which the sale and conveyance of the Property is to be considered shall be on June 9, 2008, 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.

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- 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 § 362.3 of the Iowa Code.
- 4. The proceeds associated with the conveyance of this parcel shall be deposited into the following account: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

Moved by Vlassis to adopt

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

T. M. Franklin
 Mayor

Diane Rauh
 City Clerk