

★ Roll Call Number  
08-917

Agenda Item Number  
55

Dispositions: Page 1

Date May 19, 2008

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY IN THE VICINITY OF 2 9th STREET TO POLK COUNTY, IOWA FOR \$1.00**

**WHEREAS**, the City of Des Moines owns real property in the vicinity of 2 9<sup>th</sup> Street ("Property"), more particularly described as:

All that part of vacated North/South alley right-of-way lying East of and adjoining the North 38.0 feet of Lot 7, Block 14, H.M. Hoxie's Addition to the City of Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION APPROVED  
[Signature]

and

**WHEREAS**, on April 26, 1993, by Roll Call No. 93-1569, the City Council passed Ordinance Number 11,975 vacating the Property; and

**WHEREAS**, Polk County owns the property east, west, south of, and adjacent to the subject Property and wishes to use the subject Property for its interim jail site operations; and

**WHEREAS**, the City of Des Moines has no current or anticipated public need for this property; and

**WHEREAS**, on May 5, 2008, by Roll Call No. 08-785, it was duly resolved by the City Council that the proposed conveyance of such Property be set down for hearing on May 19, 2008, at 5:00 p.m., in the Council Chamber; and

**WHEREAS**, due notice of said proposal to convey such Property was given as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with said notice, those interested in said 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:

1. Upon due consideration of the facts and statements of interested persons, the objections to said proposed conveyance of public Property, as described above, are hereby overruled and the hearing is closed.
2. There is no public need for the Property proposed to be conveyed and the public would not be inconvenienced by reason of the conveyance.

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3. That the sale and conveyance of such Property, as described above, to Polk County, Iowa, for \$1.00, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Quit Claim Deed for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the originals of said 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.
6. The Real Estate Division Manager is authorized and directed to forward the originals of the 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.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the originals of the Quit Claim Deed and copies of the other documents to the grantee.

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank  
 Assistant City Attorney

*RW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
KIERNAN	✓			
HENSLEY				✓
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			1

T. M. Gaudin  
 T. M. Gaudin  
 Mayor

**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  
 Diane Rauh  
 City Clerk