



Roll Call Number

08-1195

Agenda Item Number

31

Dispositions: Page 1

Date July 14, 2008

SET HEARING FOR VACATION AND CONVEYANCE OF EAST/WEST ALLEY ADJOINING 816 VIRGINIA AVENUE TO SAMUEL J. FUCALORO FOR \$75.00

WHEREAS, on June 9, 2008, by Roll Call No. 08-989, the City Council adopted a recommendation from the City Plan and Zoning Commission that the western-most 58 feet of the dead end segment of the east/west alley between Virginia Avenue and Pleasant View Drive, extending west from SW 7th Street, be vacated and sold; and

WHEREAS, the grantee identified below is the owner of property abutting such right-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of the portion of such right-of-way described below.

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating a portion of the east/west alley adjoining 816 Virginia Ave. more specifically described as follows:

All that part of the East/West alley right-of-way lying South of and adjoining the West 50.0 feet of Lot 7, Proctor's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

2. That if the City Council decides to vacate the above described right-of-way; the City of Des Moines proposes to sell such right-of-way, as described below to the grantee and for the consideration identified below:

To: Samuel J. Fucaloro for \$75.00

All of the vacated East/West alley right-of-way lying South of and adjoining the West 50.0 feet of Lot 7, Proctor's Addition, an Official Plat, and the East 1/2 of the vacated North/South alley right-of-way, vacated by Ordinance 14,343, lying West of and adjoining the South 1/2 of vacated East/West alley right-of-way lying South of the West 50.0 feet of said Lot 7, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such real estate is to be considered shall be on July 28, 2008, said meeting to be held at 5:00 p.m., in the Council Chamber.

7/10/08 16:03 DESCRIPTION REVIEWED [Signature]

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4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

5. The proceeds from the sale of this property shall be deposited into the following account: 2008-09 Operating Budget, Page \_\_\_\_\_, Property Maintenance, \_\_\_\_\_.

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank  
 Assistant City Attorney

*POW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
KIERNAN	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			
<u>T. M. Franklin</u> 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  
 City Clerk