

★ Roll Call Number

08-1538

Agenda Item Number

43A

Date August 25, 2008

APPROVING CONVEYANCE OF CITY-OWNED PROPERTY AT 1511 13TH STREET AND 1515 13TH STREET TO JERRY LOHNER FOR \$1.00

WHEREAS, on October 24, 2005 by Roll Call No. 05-2584, the City Council of the City of Des Moines adopted the Forest Avenue Urban Renewal Plan; and

WHEREAS, on September 11, 2006 by Roll Call No. 06-1810, the City Council of the City of Des Moines adopted the Amended Forest Avenue Urban Renewal Plan; and

WHEREAS, on May 21, 2007 by Roll Call No. 07-957, the City Council of the City of Des Moines established fair market value and authorized voluntary acquisition for properties located at 1515 13th Street and 1519 13th Street from Polk County in the amount of \$5,200 for the Forest Avenue Urban Renewal Project; and

WHEREAS, the properties located at 1515 13th Street and 1519th Street have been re-platted to create two new developable parcels now known as 1511 13th Street and 1515 13th Street; and

WHEREAS, Jerry Lohner dba Jerry Lohner. plans to enter into a development agreement with the City of Des Moines and proposes and agrees to acquire City-owned property located at 1511 13th Street and 1515 13th Street, more specifically described below, as part of the negotiated development agreement for the Forest Avenue Urban Renewal Project; and

WHEREAS, on, August 11, 2008, by Roll Call No. 08-1417, it was duly resolved by the City Council that the proposed conveyance of real property at 1511 13th Street and 1515 13th Street, be set down for hearing on August 25, 2008, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in this 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; and,

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 the proposed conveyance of this property as described below are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property at 1511 13th Street and 1515 13th Street, more specifically described as follows:

LOT 13 AND THE NORTH 9.00 FEET OF LOT 14, SUMMIT RIDGE ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT; AND THE SOUTH 11.00 FEET OF LOT

DESCRIPTION REVIEWED
[Signature]
8/25/08 14:31

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LOT 13 AND THE NORTH 9.00 FEET OF LOT 14, SUMMIT RIDGE ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT; AND THE SOUTH 11.00 FEET OF LOT 11, IDA A SHAW'S SUBDIVISION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

(LOCALLY KNOWN AS 1511 13TH STREET)

AND

ALL OF LOTS 11 AND 12, IDA A SHAW'S SUBDIVISION, (EXCEPT THE SOUTH 11.00 FEET OF SAID LOT 11), AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

(LOCALLY KNOWN AS 1515 13TH STREET)

3. That the sale and conveyance of such right-of-way to Jerry Lohner. for \$1.00, together with payment by such grantee of the estimated publication and recording costs in the amount of \$113.00 for this transaction, be and is hereby approved:
4. The Mayor is authorized and directed to sign the Deed for the conveyance as 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 original of this 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 original 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 original of the Deed and copies of the other documents to the grantees.

DESCRIPTION REVIEWED
Approved
11/1/07

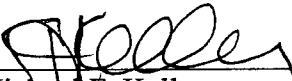
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(Council Communication No. 08-523)

Moved by Vlassis to adopt.

APPROVED AS TO FORM:




Michael F. Kelley
Assistant City Attorney

pa

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

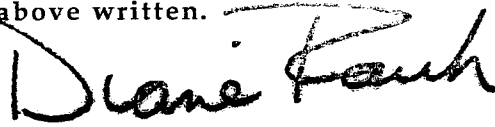
MOTION CARRIED APPROVED

 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.

 City Clerk