

★ Roll Call Number

08-1751

Agenda Item Number

29

Date October 13, 2008

**SETTING DATE OF HEARING FOR CORRECTED CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 1440 STEWART STREET FOR INFILL HOUSING REDEVELOPMENT TO LAB INVESTMENT COMPANY, INC.**

**WHEREAS**, on October 4, 1982 by Roll Call No. 82-4671, the City Council of the City of Des Moines approved the purchase of 1440 Stewart Avenue for the Logan Avenue Urban Renewal Project; and

**WHEREAS**, on September 8, 2008, by Roll Call No. 08-1612, after notice and public hearing, the City Council intended to approve the conveyance of 1440 Stewart Street to LAB Investment Company, Inc., but said Roll Call contained an error in the legal description; and

**WHEREAS**, LAB Investment Company, Inc. has agreed to pay to the City of Des Moines the purchase price of \$7,160.00 for the purchase of the City-owned property, more particularly described below.

**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 following properties, more specifically described below:

To: LAB Investment Company, Inc.

For: \$7,160

Purpose: Infill Housing

1440 Stewart Street:

All that part of Lot 4, Right-of-way Place, an Official Plat, Beginning at the Northwest corner of said Lot 4; thence Southeast 42.95 feet; thence West 23.32 feet to the West line of said Lot 4; thence North 36.00 feet to the Point of Beginning, and the East ½ of the vacated North/South alley lying West of and adjoining the North 36.00 feet of said Lot 4, all now include in and forming a part of the City Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 9956, passed June 15, 1981)

And

Lots 13 and 14, Block 2, Stalford's Addition, an Official Plat, and the East ½ of the vacated North/South alley lying West of and adjoining said Lots 13 and 14, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 9956, passed June 15, 1981.)

2. A public hearing shall be held on October 27, 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.

*James D. Smith*  
23/10/8/07

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- The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached not less than four or more than twenty days from the date of hearing.

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank  
 Assistant City Attorney

*psw*

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