

★ Roll Call Number

08-1844

Agenda Item Number

21

Date October 27, 2008

Dispositions - 1717 Ingersoll LLC: Page 1

**SET HEARING FOR THE VACATION AND CONVEYANCE OF THE EAST/WEST ALLEY BETWEEN INGERSOLL AVENUE AND HIGH STREET FROM 17<sup>TH</sup> STREET TO A POINT APPROXIMATELY 175 FEET EAST OF 19<sup>TH</sup> STREET TO 1717 INGERSOLL AVE. LLC, PW WATERBURY LLC, AND OPOMODO, LLC FOR \$1.00 AND TO JAMES MARCOVIS FOR \$1.00**

WHEREAS, on October 13, 2008, by Roll Call No. 08-1748, the City Council received a recommendation from the City Plan and Zoning Commission that a segment of the east/west alley between Ingersoll Avenue and High Street from 17<sup>th</sup> Street to a point approximately 175 feet east of 19<sup>th</sup> Street be vacated and sold, hereinafter more fully described; and

WHEREAS, the grantees identified below are the owners of property abutting such right-of-way and excess City-owned property and have offered to the City of Des Moines the purchase price identified below, and conveyance of required easements to the City, in exchange for the purchase of such property 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 the east/west alley between Ingersoll Avenue and High Street from 17th Street to a point approximately 175 feet east of 19th Street more specifically described as follows:

Tract A

The North 16 feet, Except the East 158 feet of the West 333 Feet, of Lot 'C' in J.C. Savery's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County Iowa

Tract B

The North 16 feet, Except the East 22 feet and Except the West 333 Feet, of Lot 'C' in J.C. Savery'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 grantees and for the consideration identified below:

Tract A To: James Marcovis for \$1.00

The vacated North 16 feet, Except the East 158 feet of the West 333 Feet, of Lot 'C' in J.C. Savery's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County Iowa

DESCRIPTION APPROVED

*[Handwritten signature]*  
10/23/2008

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And

Tract B To: 1717 Ingersoll Avenue LLC, PW Waterbury LLC and OPOMODO, LLC for \$1.00

DESCRIPTION APPROVED  
Glenna K. Frank  
10/23/2008

The vacated North 16 feet, Except the East 22 feet and Except the West 333 Feet, of Lot 'C' in J.C. Savery's Addition, an Official Plat, 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 November 10, 2008, said meeting to be held at 5:00 p.m., in the Council Chamber.

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.

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