



Roll Call Number

08-2195

Agenda Item Number

18

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Date December 22, 2008

SET HEARING FOR VACATION AND CONVEYANCE OF A SEGMENT OF THE EAST/WEST ALLEY AND A SEGMENT OF THE NORTH/SOUTH ALLEY BETWEEN 24TH STREET AND 25TH STREET, NORTH OF ROLLINS AVENUE AND SOUTH OF INTERSTATE 235, TO R. M. MADDEN CONSTRUCTION INC. FOR \$275

WHEREAS, on November 24, 2008, by Roll Call No. 08-2042, the City Council received a recommendation from the City Plan and Zoning Commission that a segment of the east/west alley and a segment of the north/south alley between 24th Street and 25th Street, north of Rollins Avenue and south of Interstate 235, hereinafter more fully described, 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 property described below.

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

1. That the City Council shall consider adoption of an ordinance permanently vacating a segment of the east/west alley and a segment of the north/south alley between 24th Street and 25th Street, north of Rollins Avenue and south of Interstate 235, more specifically described as follows:

All that part of the East/West alley right-of-way lying North of and adjoining Lots 1 and 2, Wetmore's, an Official Plat and lying North of and adjoining the vacated North/South alley right-of-way lying West of and adjoining said Lot 1, and lying East of the South right-of-way line of I-235 (Mac Vicar Freeway) as it now exists, and that part of the North/South alley right of way lying West of the South 30.0 feet of Lot 174, University Land Co's 1st Addition, an Official Plat, and lying South of the South right-of-way line of said I-235 as it now exists, 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 and additional previously vacated right-of-way, as described below to the grantee and for the consideration identified below:

To: R. M. Madden Construction Inc. for \$275

All that part of the vacated East/West alley right-of-way lying North of and adjoining Lots 1 and 2, Wetmore's, an Official Plat and lying North of and adjoining the vacated North/South alley right-of-way lying West of and adjoining said Lot 1, and lying East of the South right-of-way line of I-235 (Mac Vicar Freeway) as it now exists, and that part of the vacated North/South alley right of way lying West of the South 30.0 feet of Lot 174, University Land Co's 1st Addition, an Official Plat, and lying South of the

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South right-of-way line of said I-235 as it now exists, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

All of the vacated North/South alley right-of-way (vacated by Ordinance 14,687, July 23, 2007) lying West of and adjoining Lot 1, Wetmore's, an Official Plat, except the West 1/2 of the vacated North/South alley lying East of and adjoining the South 5.0 feet of Lot 2, said Wetmore's, 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 January 5, 2009, 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.

5. The proceeds from the sale of this property shall be deposited into the following account: CDM Index: 950287, Fund: SP767, ORG: ENG980500, Fund Description: Property Maintenance Fund.

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

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

T. M. Franklin
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