

★ Roll Call Number
09-974

Agenda Item Number
22

Date June 8, 2009

RESOLUTION AUTHORIZING ISSUANCE OF A REPLACEMENT
QUIT CLAIM DEED TO POLK COUNTY FOR VACATED ALLEY

WHEREAS, by Ordinance No. 13,776 passed December 20, 1999, the City of Des Moines vacated the north/south alley between Martin Luther King Jr. Parkway and 21st Street, extending south from Forest Avenue, all as more specifically described below; and,

WHEREAS, on December 20, 1999, by Roll Call No. 99-3848, the City Council approved the donation and conveyance of the vacated alley right-of-way described below to Polk County for incorporation into the site of a senior center, and authorized and directed the Mayor and City Clerk to execute a quit claim deed for such conveyance; and,

WHEREAS, the Quit Claim Deed to Polk County has not been recorded and is apparently lost; and,

WHEREAS, Polk County has requested that the City issue a Replacement Quit Claim Deed for such conveyance; NOW, THEREFORE,

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

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the vacated north/south alley between Martin Luther King Jr. Parkway and 21st Street, extending south from Forest Avenue, all as more specifically described below, to Polk County, Iowa, is hereby approved:

All the 16.00 foot North/South alley right-of-way lying East of and adjoining Lots 316 through 319, University Land Company's 2nd Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 13,776 passed December 20, 1999.)

2. The Mayor is hereby authorized and directed to sign the Replacement Quit Claim Deed on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayors' signature.

(continued)

DESCRIPTION APPROVED

[Signature]
6/02/2009 9:11

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3. The City Clerk is further authorized and directed to forward the original of the deed and Ground Water Hazard Statement for the conveyance, and a certified copy of this Resolution to the Real Estate Division for delivery to Polk County for recording.

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown
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 Fauh City Clerk