

★ Roll Call Number
09-1318

Agenda Item Number
17

Dispositions: Page 1

Date July 27, 2009

SET HEARING FOR THE VACATION AND CONVEYANCE OF A SEGMENT OF THE EAST/WEST ALLEY RUNNING WEST OF MARTIN LUTHER KING JR. PARKWAY BETWEEN WASHINGTON AVENUE AND MONDAMIN AVENUE , TO ADJOINING PROPERTY OWNERS FOR \$676.00

WHEREAS, on May 18, 2009, by Roll Call No. 09-848, the City Council received a recommendation from the City Plan and Zoning Commission that a segment of the east/west alley running west of Martin Luther King Jr. Parkway between Washington Avenue and Mondamin Avenue, hereinafter more fully described, be vacated and sold; and

WHEREAS, the owners of property abutting such rights-of-way have offered to the City of Des Moines the purchase prices identified below for the vacation and purchase of the portions of such right-of-way described below, which purchase prices reflect the fair market value of the property as currently estimated by the City's Real Estate Division.

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 a segment of the east/west alley running west of Martin Luther King Jr. Parkway between Washington Avenue and Mondamin Avenue , more specifically described as follows:

All that part of the East/West alley right-of-way lying East of the northerly extension of the East line of Lot 10, Block 1, Shepherdson's Addition to the City of Des Moines, an Official Plat, and lying West of the West right-of-way line of Martin Luther King Jr. Parkway (aka Harding Road) as it now exists, and lying North of and adjoining Lots 1 thru 9, of said Block 1, 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:

To: Frederick Robert Hews, 1622 Martin Luther King Jr. Parkway for \$626.00

All of the vacated East/West alley right-of-way lying West of the West right-of-way line of Martin Luther King Jr. Parkway (AKA Harding Road), and lying North of and adjoining Lots 1 through 8, Block 1, Shepherdson's Addition to the City of Des Moines, an Official Plat and the vacated East/West alley right-of-way lying North of and adjoining the East 12.5 feet of Lot 9, of said Block 1, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

and

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To: T & J Development Company Inc. for \$50.00

All of the vacated East/West alley right-of-way lying North of the northerly extension of the East line of the West 12.5 feet of Lot 9, Block 1, Shepherdson's Addition, to the City of Des Moines, an Official Plat, and lying East of the northerly extension of the East line of Lot 10 of said Block 1, 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 August 10, 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: FUND: SP767, ENG908500.

APPROVED AS TO FORM:

Moved by Hensley to adopt.

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

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