

Date January 11, 2010

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**SET HEARING FOR VACATION AND CONVEYANCE OF EXCESS CITY-OWNED  
PROPERTY ADJOINING 2080 KING AVENUE TO SUTTON HILL RESIDENTIAL  
COOPERATIVE FOR \$127,147**

**WHEREAS**, the City of Des Moines is the owner of excess real property located north of 2080 King Avenue, which property is legally described below, and a portion of which was dedicated as open public space; and

**WHEREAS**, Sutton Hill Residential Cooperative is the owner of property abutting said excess City-owned property and has offered to the City of Des Moines the purchase price of \$127,147 for the vacation of that portion of the property dedicated as open space and the purchase of such City-owned property more specifically described below, which price reflects the fair market value of the property as currently estimated by the City's Real Estate Division; and

**WHEREAS**, there is no known current or future public need for the property proposed to be vacated or sold and the City will not be inconvenienced by the vacation or sale of said property.

**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 excess City-owned property north of and adjoining 2080 King Avenue, more specifically described as follows:

The North 135.0 feet of the East 1030.0 feet of Outlot X, Park Forest Plat No. 3, 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 City-owned property the City of Des Moines proposes to sell such vacated property and additional excess City-owned property, as described below, to the grantee and for the consideration identified below:

To: Sutton Hill Residential Cooperative

For: \$127,147

The North 135.0 feet of the East 1030.0 feet of Outlot X, Park Forest Plat No. 3, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

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The South 14.0 feet of the West 923.0 feet of the East 958.0 feet of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 78 North, Range 24 West of the 5th P.M., 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 25, 2010, 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 Section 362.3 of the Iowa Code.

5. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, SP767, ENG980500.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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

MOTION CARRIED APPROVED
T. M. Franklin Council Mayor