

★ Roll Call Number

10-502

Agenda Item Number

20

Date April 12, 2010

SET HEARING FOR CONVEYANCE OF THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY LYING NORTH OF 2 9TH STREET TO POLK COUNTY FOR \$1

WHEREAS, the City of Des Moines owns real property located north of 2 9th Street ("Property), more particularly described below; and

WHEREAS, on April 26, 1993, by Roll Call No. 93-1569, the City Council passed Ordinance No. 11,975 vacating the Property; and

WHEREAS, Polk County is the owner of property abutting said City-owned Property, and has offered to the City of Des Moines the purchase price of \$1, in accordance with Iowa Code Section 364.7(3), for the purchase of such Property to incorporate into adjoining property for the public purpose of providing needed transitional housing in order to preserve and improve the safety, health and welfare of the City's residents; and

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

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

1. The City Council of the City of Des Moines, Iowa proposes to sell the following described Property to Polk County for \$1 for the public purpose of providing transitional housing.

All of the vacated East/West alley right-of-way, Block 14, H. M. Hoxie's 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. 11,975, passed April 26, 1993)

2. A public hearing shall be held on April 26, 2010, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
4. There will be no proceeds associated with the conveyance of this Property.

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Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

PSM

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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.

MOTION CARRIED APPROVED
T. M. Franklin Mayor

Diane Rauh City Clerk