

★ Roll Call Number

10-959

Agenda Item Number

67

Date June 14, 2010

Dispositions - McKeehan: Page 1

HOLD HEARING FOR CONVEYANCE OF 2612 E. WASHINGTON AVENUE AND A PORTION OF THE VACATED ALLEY NORTH AND WEST OF 2612 E. WASHINGTON AVENUE TO RICHARD J. MCKEEHAN, JR. AND JODY MCKEEHAN FOR \$575

WHEREAS, the City of Des Moines owns excess real property located at 2612 E. Washington Avenue and a portion of the vacated alley located north and west of 2612 E. Washington Avenue (collectively "Property"), more particularly described below; and

WHEREAS, Richard J. McKeehan, Jr. and Jody McKeehan are the owners of property abutting said City-owned Property, and have offered to the City of Des Moines the purchase price of \$575.00 for the purchase of such Property in order to incorporate it into their residential lots to be used for side yard purposes, which conveyance shall be subject to a no-build restriction over a portion of the Property, and which price reflects the restricted fair market value of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, the City of Des Moines has no current or anticipated public need for the Property and the City will not be inconvenienced by the sale of said Property; and

WHEREAS, on May 24, 2010, by Roll Call No. 10- 807, it was duly resolved by the City Council that the proposed conveyance of such City-owned property be set down for hearing on June 14, 2010, at 5:00 p.m., in the Council Chamber; and

WHEREAS, due notice of said proposal to convey City-owned property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, the objections to said proposed conveyance of City-owned property described below are hereby overruled and the hearing is closed.
2. That the sale and conveyance of the following described City-owned property to Richard J. McKeehan, Jr. and Jody McKeehan for \$575.00, together with payment by such grantees of the estimated publication and recording costs for this transaction, be and is hereby approved:

Lot 32, Boulevard Addition, an Official Plat, and all of the vacated east/west alley right-of-way lying north of and adjoining Lots 30, 31 and 32 of said Boulevard Addition (as vacated by Ordinance No. 13,871, passed October 23, 2000), all now included in and forming a part of the City of Des Moines, Polk County, Iowa

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3. The Mayor is authorized and directed to sign the Offer to Purchase and the Quit Claim Deed for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the said Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantees.
7. The proceeds from the sale of this property shall be deposited into the following accounts: 2010-2011 CIP, Page Storm Water Improvements – 4, City-wide Storm Water Utility Projects, STE057 (\$500) and Property Maintenance Endowment Fund, SP767, ENG980500 (\$75).

(Council Communication No. 10-342)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
HENSLEY	✓			
GRIESS	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

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.

T. M. Franklin Mayor

Diane Rauh City Clerk