

★ Roll Call Number
10-1363

Agenda Item Number
12

Date August 23, 2010

**RESOLUTION APPROVING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED
FOR VACATED PROPERTY ADJOINING 2916 SAMPSON STREET
TO VELMA MAY SMITH**

WHEREAS, by Ordinance No. 7078, passed May 25, 1964, the City of Des Moines vacated a portion of the north/south alley between East 16th Street and Sampson Street, south of Hull Avenue, including that portion thereof more specifically described below adjoining 2916 Sampson Street; and

WHEREAS, on June 29, 1964, by Roll Call No. 3201, the City of Des Moines approved the sale of a portion of the vacated alley to Carl O. Bryant and Mary Bryant, owners of the adjoining property located at 2916 Sampson Street, for \$10.00, but the deed for this property conveyance was not recorded by the Bryants; and

WHEREAS, Velma May Smith is now the current owner of the property located at 2916 Sampson Street, and she and her predecessors in interest have had possession of and paid taxes on the portion of the alley adjoining said property since 1964; and

WHEREAS, Velma May Smith has now requested that the City issue a replacement Quit Claim Deed for the portion of the vacated alley adjoining 2916 Sampson Street described below in response to a concern from the Polk County Auditor.

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 following described portion of the vacated alley adjoining 2916 Sampson Street to Velma May Smith, is approved:

A strip of ground Eight (8) feet in width lying west of and abutting on Lot Four (4), in Van Nest First Addition, an Addition now included in and forming a part of the City of Des Moines, Polk County, Iowa
(Vacated by Ordinance No. 7078, passed May 25, 1964).

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 authorized and directed to attest to the Mayor's signature.

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3. The City Clerk is further authorized and directed to forward the original of the deed and a certified copy of this Resolution, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded and subsequent release to the grantee.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
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