



Roll Call Number

11-0306

Agenda Item Number

20



Date February 28, 2011

SET HEARING FOR CONVEYANCE OF THE SOUTH 1/2 OF THE VACATED ALLEY BETWEEN 6TH AVENUE AND 7TH STREET, SOUTH OF CHERRY STREET TO DES MOINES REGIONAL TRANSIT AUTHORITY (DART) FOR \$40,240

WHEREAS, the City of Des Moines owns excess real property that is a portion of the vacated alley located between 6th Avenue and 7th Street, south of Cherry Street, more particularly described below ("Property"); and

WHEREAS, the Des Moines Regional Transit Authority (DART) has offered to the City of Des Moines the purchase price of \$40,240.00 for the purchase of such Property in order to incorporate it into their new transit hub location, which price reflects the fair market value of the Property as based on an independent appraisal and 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.

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

1. The City of Des Moines, Iowa proposes to convey the following described Property to Des Moines Regional Transit Authority (DART) for \$40,240:

A PART OF THE SOUTH 1/2 OF THE EAST-WEST VACATED ALLEY (Vacated February 9, 1898 by Ordinance # 895) IN BLOCK 9 IN THE ORIGINAL TOWN OF FORT DES MOINES, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER LOT 1 OF SAID BLOCK 9; THENCE SOUTH 15°23'48" EAST ALONG THE WEST LINE OF SAID BLOCK 9, A DISTANCE OF 141.40 FEET TO THE NORTH LINE OF SAID SOUTH 1/2 OF THE VACATED EAST-WEST ALLEY; THENCE NORTH 74°11'47" EAST ALONG SAID NORTH LINE, 5.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 74°11'47" EAST ALONG SAID NORTH LINE, 254.07 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 6TH AVENUE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 463.91 FEET, WHOSE ARC LENGTH IS 8.74 FEET AND WHOSE CHORD BEARS SOUTH 04°14'06" WEST, 8.74 FEET TO THE SOUTH LINE OF SAID EAST-WEST ALLEY; THENCE SOUTH 74°11'16" WEST ALONG



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SAID SOUTH LINE, 251.13 FEET; THENCE NORTH 15°27'58" WEST, 8.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.05 ACRES (2079 S.F.).

- 2. That the meeting of the City Council at which the sale and conveyance of the Property is to be considered shall be on March 14, 2011 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. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, SP767, ENG980500.

Moved by Coleman 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	7			

MOTION CARRIED APPROVED
T. M. Franklin 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

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NOT USED