

★ Roll Call Number

11-1596

Agenda Item Number

40

Page 1

Date September 12, 2011

**HOLD HEARING FOR CONVEYANCE OF EXCESS CITY-OWNED REAL
PROPERTY AT 917 ALLEN STREET TO ROBERT L. CONN FOR \$1,000**

WHEREAS, the City of Des Moines acquired property locally known as 917 Allen Street for the SE Connector – SE 6th Street to SE 14th Street Project, and after completion of the project, it was determined that a portion of this parcel (“Property”), more particularly described below, was not needed for right-of-way purposes; and

WHEREAS, Robert L. Conn is the owner of property abutting said City-owned Property, and has offered to the City of Des Moines the purchase price of \$1,000 for the purchase of such Property, 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 sold and the City will not be inconvenienced by the sale of said Property; and

WHEREAS, on August 29, 2011, by Roll Call No. 11-1443, it was duly resolved by the City Council that the proposed conveyance of real property at 917 Allen Street, be set down for hearing on September 12, 2011, at 5:00 p.m., in the City Council Chambers; and

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

WHEREAS, in accordance with City Council direction, those interested in this 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 the proposed conveyance of this property, as described below, are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property at 917 Allen Street, more specifically described as follows:

PART OF THE WEST ½ OF LOT 10, BLOCK 50, TOWN OF DE MOINE, AN OFFICIAL PLAT,
NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK
COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

★ Roll Call Number

11-15916

Agenda Item Number

40

Page 2

Date September 12, 2011

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID LOT 10; THENCE SOUTH 14°(DEGREES) 54'(MINUTES) 36"(SECONDS) EAST, 55.92 FEET ON THE EAST LINE OF SAID WEST HALF TO THE SOUTH LINE OF SAID LOT 10; THENCE SOUTH 74°55'09" WEST, 70.05 FEET ON SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH 01°05'02" WEST, 42.03 FEET; THENCE NORTHEAST 26.55 FEET ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD LENGTH OF 24.64 FEET AND BEARS NORTH 36°56'02" EAST TO THE NORTH LINE OF SAID LOT 10; THENCE NORTH 74°57'46" EAST, 40.63 FEET ON SAID NORTH LINE TO THE POINT OF BEGINNING, CONTAINING 3,486 SQUARE FEET MORE OR LESS.

3. That the sale and conveyance of such excess City-owned property to Robert L. Conn for \$1,000, together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this 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.
6. 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.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantee.
8. The proceeds from the sale of this property will be deposited into the following account: 2011-2012 CIP, Page Street Improvements – 15, Fed Title 23 Land Sales, STR500.

★ Roll Call Number
11-159b

Agenda Item Number
40

Date September 12, 2011

(Council Communication No. 11 - 58b)

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
KIERNAN	✓			
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
T. M. Franklin Mayor

Diane Rauh City Clerk