

★ Roll Call Number

130716

Agenda Item Number

22

Date May 6, 2013

SET HEARING FOR CONVEYANCE OF THE VACATED NORTH/SOUTH ALLEY LYING WEST OF AND ADJOINING 3808 SW 2ND STREET TO DIANA MEYERS FOR \$75

WHEREAS, on September 16, 1996, by Roll Call No. 96-3200, City Council approved and adopted Ordinance No. 13,376 vacating the north/south alley right-of-way between SW 2nd and SW 3rd Streets and between Rose and Watrous Avenues; and

WHEREAS, Diana Meyers is the owner of the real property locally known as 3808 SW 2nd Street adjoining a portion of said vacated alley ("Property"), and has offered to the City of Des Moines the purchase price of \$75.00 for the purchase of a fee simple interest in the 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.

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 legally described segment of the north/south alley right-of-way between SW 2nd and SW 3rd Streets and between Rose and Watrous Avenues, as vacated by Ordinance No. 13,376, which segment adjoins the real property locally known as 3808 SW 2nd Street, Des Moines, to Diana Meyers for \$75.00, subject to reservation of easement for existing utilities:

THE WEST HALF (1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 34, IN DEVIN PLACE ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;

AND

THE EAST HALF (1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING THE SOUTH 72 FEET OF LOT 44, IN DEVIN PLACE ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on May 20, 2013 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.

★ Roll Call Number
13-0716

Agenda Item Number
22

Date May 6, 2013

4. The proceeds from the sale of this property shall be deposited into the following account: \$75, Fund: SP767, Org: ENG980500.

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	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED APPROVED
T. M. Franklin Council

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