

Date October 7, 2013

SET HEARING FOR VACATION AND CONVEYANCE OF THE NORTH 20 FEET OF RAILROAD AVENUE RIGHT-OF-WAY ADJOINING 918 SE 11TH STREET TO YOUTH EMERGENCY SERVICES AND SHELTER FOR \$6,000

WHEREAS, on October 7, 2013, by Roll Call No. 13-1560, the City Council received a recommendation from the City Plan and Zoning Commission that the north 20 feet of Railroad Avenue south of and adjoining 918 SE 11th Street ("City Right-of-Way"), hereinafter more fully described, be vacated for conveyance to the adjoining property owner, subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated; and

WHEREAS, Youth Emergency Services and Shelter ("YESS") is the owner of the real property locally known as 918 SE 11th Street, which adjoins the City Right-of-Way, and has offered to the City of Des Moines the purchase price of \$6,000 for the purchase of the City Right-of-Way for incorporation into their property and redevelopment for possible setback purposes and to minimize risk of missing the current property line for footings, which purchase price reflects the fair market value of the City Right-of-Way as currently estimated by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need or benefit for the City Right-of-way proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said property.

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the north 20 feet of Railroad Avenue south of and adjoining 918 SE 11th Street, more specifically described as follows:

THE NORTH 20 FEET OF THE EAST RAILROAD AVENUE RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING BLOCK 6, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines further proposes to sell such vacated right-of-way, as legally described below, to Youth Emergency Services and Shelter (YESS) for \$6,000, in accordance with the requirements of the Plan and Zoning Commission recommendation:

THE VACATED NORTH 20 FEET OF THE EAST RAILROAD AVENUE RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING BLOCK 6, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

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3. That a public hearing will be held on October 21, 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 proposals and any other(s) submitted prior to or during the public hearing.

4. That the City Clerk is hereby authorized and directed to publish notice of said proposals in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

5. Non-project related land sale proceeds are used to support general operating budget expenses: Org - EG064090.

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

RSW

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

T. M. Franklin Council 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