

★ Roll Call Number

13-1891

Agenda Item Number

19

Date December 9, 2013

SET HEARING FOR CONVEYANCE OF VACATED SEGMENTS OF THE NORTH-SOUTH ALLEY NORTH OF CLEVELAND AVENUE AND SOUTH OF WASHINGTON AVENUE BETWEEN E. 18TH STREET AND DE WOLF STREET TO CRANE CHAPEL CHURCH OF GOD IN CHRIST FOR \$200 AND TO JOSHUA SMITH FOR \$75

WHEREAS, on August 3, 1981, by Roll Call No. 3987, City Council approved and adopted Ordinance No. 9,985 vacating all of the north/south alley right-of-way north of Cleveland Avenue and south of Washington Avenue between East 18th Street and De Wolf Street, including two segments thereof adjoining the real properties locally known as 1440 De Wolf Street and 1451 East 18th Street respectively (collectively "Property"), as legally described below, subject to the City Plan and Zoning Commission recommendation that said vacation be subject to reservation of easements for all utilities in place within the vacated right-of-way; and

WHEREAS, Crane Chapel Church of God in Christ owns the real property locally known as 1440 De Wolf Street, adjoining one segment of the Property, and has offered to the City of Des Moines the purchase price of \$200.00 for the purchase of such vacated segment of City-owned property, which price reflects the fair market value of said segment of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, Joshua Smith owns the real property locally known as 1451 East 18th Street, adjoining the second segment of the Property, and has offered to the City of Des Moines the purchase price of \$75.00 for the purchase of such vacated segment of City-owned property, which price reflects the fair market value of said segment 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 segments of vacated north/south alley right-of-way north of Cleveland Avenue and south of Washington Avenue between East 18th Street and De Wolf Street, adjoining the real properties locally known as 1440 De Wolf Street and 1451 East 18th Street respectively, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements for utility purposes:

To: Crane Chapel Church of God in Christ

For: \$200.00

Property – Segment adjoining 1440 De Wolf Street – Legal Description:

THE EAST ½ OF THE VACATED ALLEY LYING WEST OF AND ADJOINING LOTS 12, 13, 14, 15, 16, 17, AND 18 AND THE WEST ½ OF THE VACATED ALLEY LYING EAST OF AND

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ADJOINING LOTS 33 AND 34, BLOCK 2, DE WOLF'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

To: Joshua Smith

For: \$75.00

Property – Segment adjoining 1451 East 18th Street – Legal Description:

THE WEST ½ OF THE VACATED ALLEY LYING EAST OF AND ADJOINING LOTS 36, 37 AND 38, BLOCK 2, DE WOLF'S 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 December 23, 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.
3. The City Clerk is hereby authorized and directed to publish notice of said proposals and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
4. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by Hensley 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	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			

MOTION CARRIED 7 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