

★ Roll Call Number

14-0541

Agenda Item Number

23

Date April 7, 2014

SET HEARING FOR CONVEYANCE OF PORTIONS OF THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY BETWEEN HICKMAN ROAD AND FRANCIS AVENUE, FROM 16TH STREET TO 18TH STREET, TO JUAN P. ARGUETA FOR \$50 AND LAVERNE R. AND MAXINE L. ANDERSON FOR \$25

WHEREAS, on February 6, 1978, City Council approved and adopted Ordinance No. 9365 vacating all of the east/west alley right-of-way north of Francis Avenue and south of Hickman Road between 16th Street and 18th Street, including the portions thereof adjoining 1700 Hickman Road and 1620 Hickman Road, subject to the reservation of an easement for all utilities in place and reservation of right of entry for servicing same; and

WHEREAS, Juan P. Argueta, owner of 1700 Hickman Road, has offered to the City of Des Moines the purchase price of \$50.00 for the purchase of the portion of the vacated alley right-of-way adjoining 1700 Hickman Road for incorporation into his residential property, which price reflects the fair market value of said portion of vacated alley right-of-way as currently estimated by the City's Real Estate Division; and

WHEREAS, Laverne R. Anderson and Maxine L. Anderson, owners of 1620 Hickman Road, have offered to the City of Des Moines the purchase price of \$25.00 for the purchase of the portion of the vacated alley-right-of-way adjoining 1620 Hickman Road for incorporation into their residential property, which price reflects the fair market value of said portion of vacated alley right-of-way as currently estimated by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the vacated alley right-of-way 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 portion of the vacated east/west alley right-of-way north of Francis Avenue and south of Hickman Road between 16th Street and 18th Street that adjoins 1700 Hickman Road, as legally described and to the grantee and for the consideration identified below, subject to reservation of easements therein:

To: Juan P. Argueta

For: \$50.00

Legal Description:

THE NORTH ½ OF THE VACATED ALLEY RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOT 4 AND LOT 5, BLOCK 1, NORWOOD PARK ADDITION TO NORTH 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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2. The City Council of the City of Des Moines, Iowa, further proposes to sell the portion of the vacated east/west alley right-of-way north of Francis Avenue and south of Hickman Road between 16th Street and 18th Street that adjoins 1620 Hickman Road, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: Laverne R. Anderson and Maxine L. Anderson

For: \$25.00

Legal Description:

THE SOUTH 1/2 OF THE VACATED ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 14, BLOCK 1, NORWOOD PARK ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. A public hearing shall be held on April 21, 2014 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 proposal 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 Mahaffey to adopt.

APPROVED AS TO FORM: Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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