



Roll Call Number

14-0689

Agenda Item Number

16

Date May 5, 2014

SET HEARING FOR CONVEYANCE OF A PORTION OF THE VACATED EAST/WEST ALLEY RIGHT-OF-WAY ADJOINING 2815 FRANKLIN AVENUE TO BEVERLY J. MUGAN FOR \$270

WHEREAS, on August 23, 1999, by Roll Call No. 99-2691, City Council approved and adopted Ordinance No. 13,746 vacating the east/west alley right-of-way between Franklin Avenue and Allison Avenue, extending east from 30th Street, including the portions thereof adjoining 2815 Franklin Avenue, subject to the reservation of an easement for all utilities in place and reservation of right of entry for servicing same; and

WHEREAS, Beverly J. Mugan, owner of 2815 Franklin Avenue, has offered to the City of Des Moines the purchase price of \$270.00 for the purchase of the portion of the vacated alley right-of-way adjoining 2815 Franklin Avenue for incorporation into her adjoining 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 between Franklin Avenue and Allison Avenue, extending east from 30th Street, that adjoins 2815 Franklin Avenue, as legally described and to the grantee and for the consideration identified below, subject to reservation of easements therein:

To: Beverly J. Mugan

For: \$270.00

Legal Description:

ALL OF THE VACATED ALLEY RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOTS 13 THROUGH 17, AND THE SOUTH HALF OF THE VACATED ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 43 THROUGH 45, NORTH UNIVERSITY PARK, 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 19, 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.



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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 Hensley 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			

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk