

★ Roll Call Number

14-17166

Agenda Item Number

15

Date November 17, 2014

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED  
ADJACENT TO 1070 39<sup>TH</sup> STREET TO JAMES AND CARA SINK, FOR \$50**

**WHEREAS**, on December 31, 1945, the Polk County Board of Supervisors approved a resolution conveying by Special Warranty Deed various County-owned properties to the City of Des Moines, including a small piece of landlocked property that currently sits adjacent to 1070 39<sup>th</sup> Street Des Moines, Iowa, more particularly described below; said conveyance being filed of record with the Polk County Recorder's office on February 27, 1946 in Book 1939, Page 399; and

**WHEREAS**, James P. Sink and Cara L. Sink, owners of 1070 39<sup>th</sup> Street, have offered to the City of Des Moines the purchase price of \$50.00 for the purchase of the landlocked piece of City-owned property for incorporation into their residential 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 City-owned property located adjacent to 1070 39<sup>th</sup> Street, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: James P Sink and Cara L. Sink

For: \$50.00

Legal Description:

THE WEST 50 FEET OF THE EAST 300 FEET OF LOT 59, FAGEN PLACE, 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 8, 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 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.

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

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

[Signature]  
 Cori Kuhn Coleman, Assistant City Attorney

*PSW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED 7 APPROVED  
[Signature] 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.

[Signature] City Clerk