



**Roll Call Number**

15-1015

**Agenda Item Number**

15

**Date** June 22, 2015

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY ADJOINING 3601 FOREST AVENUE TO WILLIAM AND MARCY ESSY FOR \$50 AND CITY-OWNED PROPERTY ADJOINING 1424 BEAVER AVENUE TO FRANK, MARY, AND ANN DEMARCO FOR \$50**

**WHEREAS**, on May 19, 1980, by Roll Call 2317, the City of Des Moines approved Ordinance No. 9755 vacating Lot B and that portion of Lot A west of an adjacent to Lots 15 through 17 and the south 5 feet of Lot 14 in Van Slykes Oakdale ('Property'); and

**WHEREAS**, William J. and Marcy Essy, owners of 3601 Forest Avenue, and Frank, Mary, and Ann DeMarco, owners of 1424 Beaver Avenue, have offered to the City of Des Moines the purchase price of \$50.00 each, respectively, for the purchase of such City-owned vacated right-of-way for incorporation into their residential properties, 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 real property adjoining 3601 Forest Avenue and 1424 Beaver Avenue, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: William J. Essy and Marcy Essy

For: \$50.00

Legal Description: THE SOUTH 42 FEET, MEASURED ON THE SOUTHWEST LINE, OF LOT B, VAN SLYKE'S-OAKDALE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 1993 SQUARE FEET.

To: Frank J. DeMarco, Mary D. DeMarco, and Ann DeMarco

For: \$50.00

Legal Description: THE NORTHEAST 1/2 OF VACATED LOT A LYING SOUTHWEST OF AND ADJOINING THE SOUTHEAST 70 FEET OF LOT 16, VAN SLYKE'S OAKDALE, 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. A public hearing shall be held on July 13, 2015 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.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

*Lisa Wieland*

Lisa Wieland, Assistant City Attorney

PSV

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