



Roll Call Number

15-1136

Agenda Item Number

21 ✓

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Date July 13, 2015

SET HEARING FOR VACATION AND CONVEYANCE OF THE NORTH/SOUTH ALLEY BETWEEN 2ND AVENUE AND 3RD STREET FROM INDIANA AVENUE TO CREIGHTON AVENUE TO COMMERCIAL BAG AND TEXTILE, INC. FOR \$7,980.00

WHEREAS, on June 22, 2015, by Roll Call No. 15-1019, City Council received a recommendation from the City Plan and Zoning Commission approving a request from Commercial Bag and Textile, Inc. to vacate the north/south segment of alley right-of-way between 2nd Avenue and 3rd Street from Indiana Avenue to Creighton Avenue, adjoining its business at 1240 2nd Avenue and 1244 2nd Avenue; and

WHEREAS, Commercial Bag and Textile, Inc. has offered to the City of Des Moines the purchase price of \$7,980.00 for the purchase of the portion of the vacated alley right-of-way adjoining its business at 1240 2nd Avenue and 1244 2nd Avenue, 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. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the north/south segment of alley right-of-way between 2nd Avenue and 3rd Street from Indiana Avenue to Creighton Avenue adjoining 1240 2nd Avenue and 1244 2nd Avenue, legally described as follows:

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 135 TO 140, RUTHERFURD HEIGHTS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 3990 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the north/south segment of alley right-of-way between 2nd Avenue and 3rd Street from Indiana Avenue to Creighton Avenue adjoining 1240 2nd Avenue and 1244 2nd Avenue, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: Commercial Bag and Textile, Inc.
For: \$7,980.00

ALL OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 135 TO 140, RUTHERFURD HEIGHTS, AN OFFICIAL PLAT,

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ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES,
POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 3990 SQUARE FEET.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such right-of-way is to be considered shall be on July 27, 2015, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.
5. 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:

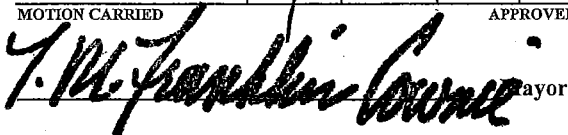


Lisa A. Wieland
Assistant City Attorney

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

MOTION CARRIED

APPROVED

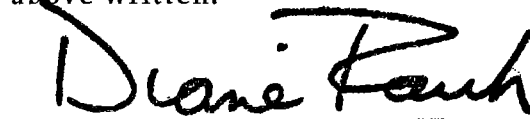


Mayor

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.



City Clerk