



Roll Call Number

15-11096

Agenda Item Number

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Date October 12, 2015

SET HEARING FOR VACATION AND CONVEYANCE OF A PORTION OF SE 20TH STREET BETWEEN SCOTT AVENUE AND THE SE CONNECTOR, AND CONVEYANCE OF OTHER ADJOINING EXCESS CITY-OWNED PROPERTY, TO KEMIN HOLDINGS, L.C. FOR \$6,142

WHEREAS, Kemin Holdings, L.C. has requested the vacation and conveyance of a portion of Southeast 20th Street between Scott Avenue and the Southeast Connector and conveyance of a portion of City-owned property all adjoining their business campus at 2100 Maury Street (“City Property”), hereinafter more fully described, to allow for construction of a new wellness path, western gate entrance and fencing; and

WHEREAS, Kemin Holdings, L.C., owner of the adjoining property at 2100 Maury Street, has offered to the City of Des Moines (“City”) the purchase price of \$6,142.00 for the vacation and purchase of the City Property, which price reflects the fair market value of the City Property as currently estimated by the City’s Real Estate Division; and

WHEREAS, the City Property proposed to be vacated and conveyed has been determined by the City Engineer and City Traffic Engineer to have no significant impact on public access, and the City will not be inconvenienced by the vacation and conveyance of said City Property.

WHEREAS, there is no known current or future public need or benefit for the right-of-way proposed to be vacated and property to be conveyed, and the City will not be inconvenienced by the vacation and conveyance of said property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating Southeast 20th Street between Scott Avenue and the Southeast Connector, more specifically described as follows:

A PORTION OF SE 20TH STREET, CHARTER OAK ADDITION, AN OFFICIAL PLAT INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF SCOTT AVENUE AND THE WEST R.O.W. LINE OF VACATED SE 20TH STREET (ORDINANCE 15019); THENCE ALONG SAID WEST R.O.W. LINE OF SAID VACATED SE 20TH STREET, N.00°04'56"E., A DISTANCE OF 431.48 FEET, AND THE POINT OF BEGINNING; THENCE N.00°04'56"E., A DISTANCE OF 69.23 FEET ALONG THE WEST R.O.W. LINE OF SE 20TH STREET AS PRESENTLY ESTABLISHED; THENCE N.89°59'59"E., A DISTANCE OF 64.97 FEET TO THE EAST R.O.W. LINE OF SE 20TH STREET AS PRESENTLY ESTABLISHED; THENCE S.00°04'45"W., A DISTANCE OF 73.61 FEET ALONG SAID EAST R.O.W. LINE; THENCE N.86°08'35"W., A DISTANCE OF 65.11



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FEET TO THE POINT OF BEGINNING. CONTAINING 4640 SQ.FT. OR 0.107 ACRES OF LAND MORE OR LESS.

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines, Iowa, proposes to convey such right-of-way and additionally convey other adjoining excess City-owned property to Kemin Holdings, L.C. for \$6,142.00, subject to the requirements of the Offer to Purchase:

A PORTION OF VACATED SE 20TH STREET AND LOTS 2, AND 3, CHARTER OAK ADDITION, AN OFFICIAL PLAT INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF SCOTT AVENUE AND THE WEST R.O.W. LINE OF VACATED SE 20TH STREET (ORDINANCE 15019); THENCE ALONG SAID WEST R.O.W. LINE OF SAID VACATED SE 20TH STREET, N.00°04'56"E., A DISTANCE OF 431.48 FEET TO THE POINT OF BEGINNING; THENCE N.00°04'56"E., A DISTANCE OF 30.96 FEET ALONG THE WEST R.O.W. LINE OF VACATED SE 20TH STREET AS PRESENTLY ESTABLISHED; THENCE S.89°59'50"W., A DISTANCE OF 28.12 FEET; THENCE N.00°00'10"W., A DISTANCE OF 20.00 FEET; THENCE N.57°02'18"E., A DISTANCE OF 33.58 FEET, TO A POINT ON THE WEST R.O.W. LINE OF VACATED SE 20TH STREET AS PRESENTLY ESTABLISHED; THENCE N.89°59'59"E., A DISTANCE OF 64.97 FEET, TO THE EAST R.O.W. LINE OF VACATED SE 20TH STREET AS PRESENTLY ESTABLISHED; THENCE ALONG THE EAST LINE OF SAID VACATED SE 20TH STREET, S.00°04'45"W., A DISTANCE OF 73.61 FEET; THENCE N.86°08'35"W., A DISTANCE OF 65.11 FEET TO THE POINT OF BEGINNING. CONTAINING 5459.84 SQ. FT. OR .125 ACRES OF LAND MORE OR LESS.

3. That the meeting of the City Council of the City of Des Moines, Iowa, at which the adoption of said ordinance and the conveyance of such real estate is to be considered by public hearing shall be on October 26, 2015, said meeting to be held at 5:00 p.m., in the Council Chamber.

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 Section 362.3 of the Iowa Code.

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



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Moved by Hensley to adopt.

APPROVED AS TO FORM:

(Lisa A. Wieland)

Lisa A. Wieland, Assistant City Attorney

FW

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

MOTION CARRIED

APPROVED

T. M. Franklin Council 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