

★ Roll Call Number
15.2054

Agenda Item Number
19

Date December 7, 2015

SET HEARING FOR CONVEYANCE OF A VACATED PORTION OF THE EAST-WEST ALLEY RIGHT-OF-WAY LOCATED NORTH OF AND ADJOINING 1228 EAST OVID AVENUE TO BRIAN J. RITCHIE FOR \$25.00

WHEREAS, on September 16, 1940, the City of Des Moines, Iowa, (“City”) approved Ordinance No. 4594 vacating the alley right-of-way located north of and adjoining 1228 East Ovid Avenue (“Property”), more particularly described below; and

WHEREAS, Brian J. Ritchie, owner of 1228 East Ovid Avenue, has offered to the City of Des Moines, Iowa, the purchase price of \$25.00 for the purchase of the portion of the vacated alley right-of-way lying north of and adjoining 1228 East Ovid Avenue for incorporation into his residential 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, the City has no known current or anticipated 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 vacated alley right-of-way located north of and adjoining 1228 East Ovid Avenue, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

To: Brian J. Ritchie
For: \$25.00

Legal Description: -EXCEPT THE WEST 6 FEET-, ALL OF THE SOUTH HALF (1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 16, MANN’S 2ND ADDITION TO HIGHLAND PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 700 SQUARE FEET.

2. A public hearing shall be held on December 21, 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.

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland
 Lisa A. Wieland, Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1
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