



Roll Call Number

15-2116

Agenda Item Number

18

Date December 21, 2015

SET HEARING FOR CONVEYANCE OF A VACATED PORTION OF THE 18TH STREET RIGHT-OF-WAY LOCATED NORTH OF OLIVE AVENUE AND ADJOINING 944 18TH STREET TO WESLEY COMMUNITY SERVICES, INC. FOR \$5,192.00

WHEREAS, on December 15, 1986, by Roll Call No. 5723, the City Council of the City of Des Moines adopted Ordinance No. 10,908 vacating the 18th Street right-of-way located north of Olive Avenue and adjoining 944 18th Street ("Property"), more particularly described below; and

WHEREAS, Wesley Community Services, Inc., as successor in interest to Generations Incorporated, owner of 944 18th Street, has offered to the City of Des Moines, Iowa, ("City") the purchase price of \$5,192.00 for the purchase of that portion of the vacated 18th Street right-of-way lying north of Olive Avenue and adjoining 944 18th Street for incorporation into its commercial property, which price reflects the fair market value of said portion of vacated 18th Street right-of-way as currently estimated by the City's Real Estate Division; and

WHEREAS, the City has no known current or future public need for the Property proposed to be sold and the City will not be inconvenienced by the sale and conveyance of said Property, subject to the reservation of an easement upon the Property for the continued use and maintenance of any utilities now in place, including utilities for the benefit and use of the City, with the right of entry for servicing same, until such time as they are abandoned or relocated by the buyer at the buyer's expense.

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 18th Street right-of-way located north of Olive Avenue and adjoining 944 18th Street, as legally described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: Wesley Community Services, Inc.
For: \$5,192.00
Legal Description:

THE WEST HALF (1/2) OF THE VACATED 18TH STREET RIGHT OF WAY LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 18, BLOCK 1, GLENDALE, AN OFFICIAL PLAT, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SCHOOL STREET RIGHT OF WAY, AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 10 IN SAID BLOCK 1, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF OLIVE AVENUE RIGHT OF WAY, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 6,922 SQUARE FEET.



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- 2. A public hearing shall be held on January 11, 2016 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 Mahaffey to adopt.

APPROVED AS TO FORM:

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

PSW

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

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

T. M. Franklin Mayor