



**Roll Call Number**

16-0672

**Agenda Item Number**

24

**Date** April 25, 2016

**SET HEARING FOR CONVEYANCE OF A VACATED PORTION OF NORTH/SOUTH ALLEY RIGHT-OF-WAY ADJOINING 2726 EAST 16<sup>TH</sup> STREET TO LUTHER PARK APARTMENTS INC. FOR \$600.00**

**WHEREAS**, on August 15, 1977, by Roll Call 3548, the City of Des Moines, Iowa, (“City”) approved Ordinance No. 9319 vacating the alley right-of-way located west of and adjoining 2726 East 16<sup>th</sup> Street (“Property”), more particularly described below; and

**WHEREAS**, Luther Park Apartments Inc., owner of 2726 East 16th Street, has offered to the City the purchase price of \$600.00 for the purchase of the portion of the vacated alley right-of-way lying west of and adjoining 2726 East 16th Street for incorporation into its adjoining commercial 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 west of and adjoining 2726 East 16<sup>th</sup> Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

To: Luther Park Apartments Inc.

For: \$600.00

Legal Description: THE EAST HALF OF THE VACATED ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO LOTS 13 AND 14, MECHANICS ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on May 9, 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.

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Moved by Hensley to adopt.

APPROVED AS TO FORM:

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

*PRW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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