



**Roll Call Number**

16-0760

**Agenda Item Number**

21

**Date** May 9, 2016

**SET HEARING FOR CONVEYANCE OF 3946 CLINTON AVENUE TO SHANE M. AND EILEEN MEADER FOR \$75.00 AND TO RON J. AND MICHELLE ANN HEIMS FOR \$75.00**

**WHEREAS**, on March 7, 2016, by Roll Call 16-0379, the City of Des Moines, Iowa, ("City") authorized the acquisition of necessary property interests for the 2016 Storm Sewer Repair Project; and

**WHEREAS**, on March 29, 2016, Polk County, Iowa conveyed 3946 Clinton Avenue (hereinafter "Property") to the City of Des Moines, Iowa via quit claim deed recorded in Book 15940, Page 623-626; and

**WHEREAS**, Shane M. Meader and Eileen Meader, owners of 3942 Clinton Avenue, have offered to the City the purchase price of \$75.00 for the purchase of the east half of 3946 Clinton Avenue adjoining their property, subject to all easements of record, including a Permanent Easement for Storm Sewer and Surface Water Flowage, and further subject to the reservation of easement for all existing utilities in place, until such time that they are abandoned or relocated, which price reflects the fair market value of said portion of 3946 Clinton Avenue as currently estimated by the City's Real Estate Division; and

**WHEREAS**, Ron J. Heims and Michelle Ann Heims, owners of 3950 Clinton Avenue, have offered to the City the purchase price of \$75.00 for the purchase of the west half of 3946 Clinton Avenue adjoining their property, subject to all easements of record, including a Permanent Easement for Storm Sewer and Surface Water Flowage, and further subject to the reservation of easement for all existing utilities in place, until such time that they are abandoned or relocated, which price reflects the fair market value of said portion of 3946 Clinton Avenue 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 property locally known as 3946 Clinton Avenue adjoining 3942 and 3950 Clinton Avenue, as legally described, to the grantees, and for the consideration identified below, subject to all easements of record, including a Permanent Easement for Storm Sewer and Surface Water Flowage and further subject to the reservation of easement for all existing utilities in place, until such time that they are abandoned or relocated, therein:

Grantee: Shane M. Meader and Eileen Meader  
Consideration: \$75.00



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Legal Description: THE EAST HALF OF LOT 67 KNAPP PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA.

Grantee: Ron J. Heims and Michelle Ann Heims  
Consideration: \$75.00

Legal Description: THE WEST HALF OF LOT 67 KNAPP PLACE, AN OFFICIAL PLAT, ALL 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 23, 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 Hensley to adopt.

APPROVED AS TO FORM:

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

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