



Roll Call Number

16-1991

Agenda Item Number

23

Date November 21, 2016

SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED EAST OF AND ADJOINING 3269 EAST DOUGLAS AVENUE TO MELVIN R. SPECK II AND VICKI R. SPECK FOR \$2,500

WHEREAS, on August 17, 1998, by Roll Call No. 98-2572, the City Council of the City of Des Moines, Iowa approved Ordinance No. 13,633 vacating a portion of the East 33rd Street right-of-way between East Douglas Avenue and East Clinton Avenue, Des Moines, Iowa ("Property"), more particularly described below; and

WHEREAS, Melvin R. Speck II and Vicki R. Speck, owners of the real property known as 3269 East Douglas Avenue which adjoins the Property, have offered to the City of Des Moines, Iowa ("City"), the purchase price of \$2,500.00 for the purchase of said Property in order to incorporate it into their adjoining residential parcel, which price reflects the restricted-use fair market value of the Property as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the Property proposed to be sold, and the City will not be inconvenienced by the conveyance 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 City-owned real property located east of and adjoining 3269 East Douglas Avenue, Des Moines, Iowa, as legally described below, to Melvin R. Speck II and Vicki R. Speck for \$2,500.00, subject to a reservation of easements therein, and further subject to the reservation of a no-build easement:

A PART OF THE VACATED EAST 33RD STREET RIGHT OF WAY PARTIALLY LYING WITHIN LOT A OF DOUGLAS ACRES PLAT 4, AN OFFICIAL PLAT, AND LYING WITHIN THE NORTH HALF (1/2) OF SECTION 29, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE SPECIFICALLY DESCRIBED AS THE FOLLOWING DESCRIBED PARCEL EXCEPT THE SOUTH 169.73 THEREOF AS MEASURED ON THE WEST LINE OF SAID PARCEL: COMMENCING AS A POINT OF REFERENCE AT THE NORTH QUARTER (1/4) CORNER OF SAID SECTION 29; THENCE SOUTH 0° (DEGREE) 22' (MINUTES) 49" (SECONDS) WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION 29, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°54'17" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST DOUGLAS AVENUE, 94.51 FEET; THENCE SOUTH 18°57'59" WEST, 296.52 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION 29; THENCE CONTINUING SOUTH 18°57'59" WEST, 17.16 FEET; THENCE SOUTHWEST ALONG A 533 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 8°28'46", A CHORD DISTANCE OF 78.81 FEET, A CHORD BEARING OF SOUTH 14°43'43" WEST FOR AN ARC DISTANCE OF 78.88 FEET; THENCE NORTH 0°22'49" EAST, 372.73 FEET; THENCE NORTH 89°18'44" EAST, 25 FEET TO THE POINT OF BEGINNING;

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AND SHOWN BY THE PLAT OF SURVEY LABELED EXHIBIT "A" IN RECORDED BOOK 7996 AND PAGE 826 (SEE PAGE 828 FOR PLAT OF SURVEY), RECORDED AT THE POLK COUNTY RECORDER'S OFFICE; AND CONTAINING APPROXIMATELY 0.396 ACRES (17,264 SQUARE FEET).

2. A public hearing shall be held on December 5, 2016, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, 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

PSW

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

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