



**Roll Call Number**

16-2062

**Agenda Item Number**

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**Date** December 5, 2016

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED SOUTH OF AND ADJOINING 1429 9<sup>TH</sup> STREET TO SCOTT A. SLAUGHTER AND TODD D. SCHRODER FOR \$25.00**

**WHEREAS**, on August 20, 1990, by Roll Call No. 90-3638, the City Council of the City of Des Moines, Iowa, approved and accepted a quit claim deed from Iowa Children's and Family Services a/k/a Children and Families of Iowa, an Iowa Non-Profit Corporation, conveying to the City of Des Moines, Iowa (hereinafter "City"), a strip of land for public alley purposes located south of and adjoining 1429 9<sup>th</sup> Street, Des Moines, Iowa; and

**WHEREAS**, said adjoining parcel at 1429 9<sup>th</sup> Street has an existing fence that encroaches onto a portion of the City's property and said portion of the City's property is not needed for public alley purposes; and

**WHEREAS**, Scott A. Slaughter and Todd D. Schroder, owners of the adjoining parcel at 1429 9<sup>th</sup> Street, have offered to the City the purchase price of \$25.00 for the purchase of a portion of the City's property (hereinafter "Property") for incorporation into their residential property in order to eliminate the existing fence encroachment, subject to the reservation of easements 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 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 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 a portion of City-owned property located south of and adjoining 1429 9<sup>th</sup> Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantees: Scott A. Slaughter and Todd D. Schroder

Consideration: \$25.00

Legal Description: A PART OF LOT 4, BLOCK "A", THOMPSON'S SUBDIVISION OF LOT 45 OF THE OFFICIAL PLAT OF THE S.E. 1#4 OF SECTION 34-79-24, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 0°(DEGREES) 06'(MINUTES) 01"(SECONDS) EAST, ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 10.18 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 74.84 FEET, WHOSE ARC LENGTH IS 30.63 FEET AND WHOSE CHORD BEARS SOUTH 86°52'16" WEST, 30.41 FEET; THENCE CONTINUING WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 974.62 FEET, WHOSE ARC LENGTH IS 130.20 FEET, AND WHOSE CHORD BEARS NORTH 85°13'59" WEST, 130.11 FEET TO A POINT ON THE WEST LINE



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OF SAID LOT 4; THENCE NORTH 0°06'11" WEST ALONG SAID WEST LINE, 1.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 89°58'30" EAST ALONG THE NORTH LINE OF SAID LOT, 160.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (1017 SQ. FT.)

2. A public hearing shall be held on December 19, 2016, at 5:00 p.m. in the City Council Chambers, 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

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