



Roll Call Number

17-0777

Agenda Item Number

42A

Date May 8, 2017

RESOLUTION SETTING PUBLIC HEARING ON SALE OF VACATED CITY RIGHT-OF-WAY ADJOINING 212 E. 3RD STREET TO H. GLASS PARTNERS, LLC FOR \$1,000

WHEREAS, on March 1, 1993, the City Council approved Ordinance No. 11,946, vacating the east-west alley adjoining 212 E. 3rd Street; and

WHEREAS, H. Glass Partners, LLC is redeveloping 212 E. 3rd Street and rehabilitating the existing vacant building thereon for commercial use, including historical restoration of the exterior of the building including but not limited to reopening of the south windows; and

WHEREAS, such redevelopment and rehabilitation requires that the adjoining portion of the vacated east-west alley ("Property") be restricted with a no-build easement prohibiting construction of improvements thereon; and

WHEREAS, the Property is also currently used for ingress and egress by adjoining owners of parking lots to the south and east thereof; and

WHEREAS, H. Glass Partners, LLC has offered to the City of Des Moines the amount of \$1,000.00 for purchase of the Property for incorporation into the redevelopment of 212 E. 3rd Street, subject to easements for existing utilities and for public vehicular ingress and egress, and subject to a no-build restriction limiting the use of the Property to paved vehicular access without other improvements, which amount has been determined by the City's Real Estate Division to represent fair market value of the Property as so restricted; and

WHEREAS, there is no known current or future public need or benefit for the Property, and the City will not be inconvenienced by the sale thereof.

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, shall consider the proposed sale and conveyance of the portions of vacated City-owned right-of-way adjoining 212 E. 3rd Street, legally described as follows, to H. Glass Partners, LLC for \$1,000.00, subject to easements for utilities and public vehicular access and no-build restriction:

ALL OF THE NORTH HALF (1/2) OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING THE EAST 120.6 FEET OF LOT 11, BLOCK H, SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 965 SQUARE FEET.



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2. That the meeting of the City Council at which the proposed conveyance is to be considered shall be on May 22, 2017, said meeting to be held 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.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposed conveyance in the form hereto attached, in accordance with Section 364.7 of the Iowa Code.

(Council Comm. No. 17-402)

MOVED BY Hensley TO ADOPT.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED T. M. Franklin Council 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