



Roll Call Number

17-1158

Agenda Item Number

19

Date July 10, 2017

**SET HEARING FOR CONVEYANCE OF VACATED CITY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 12 FULTON DRIVE TO DUSTIN L. SCHAEFER AND CYNTHIA A. SCHAEFER FOR \$100**

**WHEREAS**, on January 23, 1989, by Roll Call No. 89-242, the City Council of the City of Des Moines, Iowa, ("City") approved Ordinance No. 11,252 vacating the alley right-of-way located south of and adjoining 12 Fulton Drive, Des Moines, Iowa ("Property"), more particularly described below; and

**WHEREAS**, Dustin L. Schaefer and Cynthia A. Schaefer, owners of 12 Fulton Drive, have offered to the City of Des Moines, Iowa, the purchase price of \$100.00 for the purchase of said Property for incorporation into their residential property, which price reflects the fair market value of said Property as determined 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 alley right-of-way located south of and adjoining 12 Fulton Drive, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Dustin L. Schaefer and Cynthia A. Schaefer

Consideration: \$100.00

Legal Description: All of the vacated east-west alley right-of-way lying south of and adjoining Lots 341 and 342 in First Plat of Clifton Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; containing 1280 square feet.

2. A public hearing shall be held on July 24, 2017, 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.



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Moved by Hensley to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato, Assistant City Attorney

BSW

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

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