



**Roll Call Number**

18-0046

**Agenda Item Number**

25

**Date** January 8, 2018

**SET HEARING FOR CONVEYANCE OF VACATED EAST COURT AVENUE  
LOCATED SOUTH OF AND ADJOINING 3104 EAST COURT AVENUE TO  
WOODROW W. STRAIT, JR. FOR \$8,215.00**

**WHEREAS**, on June 6, 1994, by Roll Call No. 94-2194, the City Council of the City of Des Moines, Iowa voted to approve the vacation of all that part of East Court Avenue right-of-way lying East of the East right-of-way line of East 30<sup>th</sup> Street and West of the southerly extension of the West right-of-way line of East 32<sup>nd</sup> Street; and

**WHEREAS**, Woodrow W. Strait, Jr., owner of 3104 East Court Avenue, has offered to the City of Des Moines ("City") the purchase price of \$8,215.00 for the purchase of the vacated East Court Avenue right-of-way lying south of and adjoining its property at 3104 East Court Avenue (hereinafter "Property"), for assemblage with 3104 East Court Avenue, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property as determined by the City's Real Estate Division; and

**WHEREAS**, there is no known current or future public need or benefit for the City 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, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to sell a portion of vacated East Court Avenue right-of-way lying East of the East right-of-way line of East 30<sup>th</sup> Street and West of the southerly extension of the West right-of-way line of East 32<sup>nd</sup> Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Woodrow W. Strait, Jr.

Consideration: \$8,215.00

Legal Description: ALL THAT PART OF THE VACATED EAST COURT AVENUE RIGHT OF WAY (FORMERLY KNOWN AS RISING SUN ROAD) LYING EAST OF THE SOUTHEASTERLY LINE OF LOT 8 IN OFFICIAL PLAT OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 6, TOWNSHIP 78 WEST, RANGE 23 NORTH OF THE 5<sup>TH</sup> P.M., AND LYING WEST OF THE WEST LINE OF THAT PORTION OF THE VACATED EAST COURT AVENUE RIGHT OF WAY CONVEYED BY THE CITY OF DES MOINES AND RECORDED IN BOOK 7048 PAGE 918 AT THE POLK COUNTY, IOWA RECORDER'S OFFICE, ALL IN SAID OFFICIAL PLAT OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 6, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;

★ **Roll Call Number**  
18-0046

**Agenda Item Number**  
25

**Date** January 8, 2018

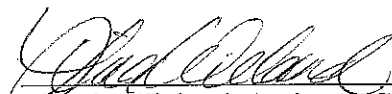
2. A public hearing shall be held on January 22, 2018, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior 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 Gatto to adopt.

APPROVED AS TO FORM:

  
 Lisa A. Wieland, Assistant City Attorney

*PNW*

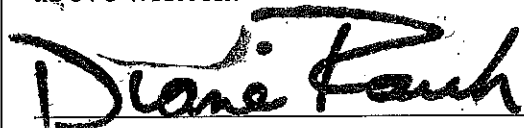
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

*T.M. Franklin*  
 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