



Roll Call Number

19-0041

Agenda Item Number

26

Date January 14, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF A PORTION OF BRIDAL ROW RIGHT-OF-WAY LOCATED NORTH OF AND ADJOINING 1501 WOODLAND AVENUE AND CONVEYANCE TO HOYT SHERMAN PLACE FOUNDATION FOR \$3,175.00

WHEREAS, on December 3, 2018, by Roll Call No. 18-1989, the City Council of the City of Des Moines, Iowa voted to receive and file a recommendation from the Plan and Zoning Commission recommending approval of a request from Hoyt Sherman Place Foundation, owner of Hoyt Sherman Place located at 1501 Woodland Avenue, to vacate an irregular segment of Bridal Row right-of-way adjoining 1501 Woodland Avenue, Des Moines, Iowa, subject to the following conditions:

- 1. Reservation of any necessary easements for all existing utilities in place.
2. The provision by the owner of necessary public improvements for public street re-alignment and public sidewalks; and

WHEREAS, Hoyt Sherman Place Foundation, owner of 1501 Woodland Avenue, has offered to the City of Des Moines ("City") the purchase price of \$3,175.00 for the purchase of the irregular segment of Bridal Row right-of-way lying north of and adjoining 1501 Woodland Avenue (hereinafter "Property"), to allow for realignment of the driveway access to the adjoining parcel as part of a venue expansion and to facilitate pedestrian access to the property from Bridal Row, which price reflects the fair market value of the 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, subject to reservation of easements therein and the provision by the owner of necessary public improvements for public street re-alignment and public sidewalks, and the City will not be inconvenienced by the vacation and sale of said Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

- 1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the irregular segment of Bridal Row right-of-way lying north of and adjoining 1501 Woodland Avenue, Des Moines, Iowa legally described as follows:

A PART OF BRIDAL ROW RIGHT OF WAY LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 8 OF SHERMAN PLACE, AN OFFICIAL PLAT, IN THE CITY OF DES MOINES, POLK COUNTY IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7, SAID SHERMAN PLACE; THENCE NORTH 00°23'01" WEST ALONG SAID EAST LINE, 44.00 FEET TO THE SOUTHEAST CORNER OF THE NORTH 6.00 FEET OF SAID LOT 8; THENCE SOUTH 45°32'54" EAST, 62.05 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 7; THENCE SOUTH 89°17'12" WEST ALONG SAID EASTERLY EXTENSION OF THE NORTH LINE, 44.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (968 SQUARE FEET).

- 2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated street right-of-way, as legally described and to the grantees and for the consideration identified below, subject



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to reservation of easements for utilities therein and further subject to the provision by the owner of necessary public improvements for public street re-alignment and public sidewalks:

Grantee: Hoyt Sherman Place Foundation

Consideration: \$3,175.00

Legal Description: A PART OF VACATED BRIDAL ROW RIGHT OF WAY LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 8 OF SHERMAN PLACE, AN OFFICIAL PLAT, IN THE CITY OF DES MOINES, POLK COUNTY IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, SAID SHERMAN PLACE; THENCE NORTH 00°23'01" WEST ALONG SAID EAST LINE, 44.00 FEET TO THE SOUTHEAST CORNER OF THE NORTH 6.00 FEET OF SAID LOT 8; THENCE SOUTH 45°32'54" EAST, 62.05 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 7; THENCE SOUTH 89°17'12" WEST ALONG SAID EASTERLY EXTENSION OF THE NORTH LINE, 44.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (968 SQUARE FEET).

- 3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such irregular segment of Bridal Row right-of-way is to be considered shall be January 28, 2019, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.
5. 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:

[Signature of Lisa A. Wieland]

Lisa A. Wieland, Assistant City Attorney

pmw

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

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.

[Signature of Diane Rauh]

City Clerk

[Signature of Mayor J. M. Granberry]

APPROVED

Mayor