



Roll Call Number

19-1822

Agenda Item Number

19

Date November 18, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF THE EAST/WEST ALLEY RIGHT-OF-WAY LOCATED NORTH OF AND ADJOINING 1821 INGERSOLL AVENUE AND CONVEYANCE TO LUTHERAN CHURCH OF HOPE FOR \$28,000.00

WHEREAS, on September 23, 2019, by Roll Call No. 19-1481, the City Council of the City of Des Moines voted to receive and file a communication from the Plan and Zoning Commission regarding a request from Lutheran Church of Hope to vacate the segment of east/west alley between Ingersoll Avenue and High Street north of and adjoining, adjoining 1821 Ingersoll Avenue, to allow for assemblage with the adjoining property for future development, subject to the reservation of easements for all public utilities in place until such time they are abandoned or relocated; and

WHEREAS, Lutheran Church of Hope, owner of 1821 Ingersoll Avenue, has offered to the City of Des Moines ("City") the purchase price of \$28,000.00 for the purchase of the vacated east/west alley right-of-way located north of and adjoining 1821 Ingersoll Avenue, Des Moines, Iowa (hereinafter "Property"), to allow for assemblage with their adjoining property for redevelopment, 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 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 east/west alley right-of-way located north of and adjoining 1821 Ingersoll Avenue, Des Moines, Iowa, legally described as follows:

THE NORTH 16 FEET OF THE WEST 175 FEET OF LOT "C", J.C. SAVERY'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 2,800 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated alley right-of-way, as legally described and to the grantee and for the consideration identified below, subject to the reservation of easements for utilities therein:

Grantee: Lutheran Church of Hope

Consideration: \$28,000.00

Legal Description: THE VACATED NORTH 16 FEET OF THE WEST 175 FEET OF LOT "C", J.C. SAVERY'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 2,800 SQUARE FEET.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such alley right-of-way is to be considered shall be December 2, 2019, said meeting to



Roll Call Number

19-1822

Agenda Item Number

19

Date November 18, 2019

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 Boesen to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

psw

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

City Clerk