



Roll Call Number

19-1917

Agenda Item Number

20

Date December 2, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 3844 6th AVENUE TO DANIEL R. BURKLE FOR \$25.00

WHEREAS, on February 18, 1980, by Ordinance No. 9701, the City Council of the City of Des Moines, Iowa vacated the north-south alley right-of-way lying west of and adjoining 3844 6th Avenue; and

WHEREAS, the east half of the vacated alley right-of-way adjoining 3844 6th Avenue was not conveyed after the alley was vacated; and

WHEREAS, Daniel R. Burkle, owner of 3844 6th Avenue, has offered to the City of Des Moines ("City") the purchase price of \$25.00 for the purchase of the east half of the vacated alley right-of-way lying west of and adjoining his property at 3844 6th Avenue (hereinafter "Property"), for assemblage with his residential parcel, 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 the east half of the vacated alley right-of-way lying west of and adjoining 3844 6th Avenue, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Daniel R. Burkle

Consideration: \$25.00

Legal Description: THE EAST HALF OF THE VACATED 16.0 FOOT NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING THE SOUTH 25.0 FEET OF LOT 2, AND LYING WEST OF AND ADJOINING THE NORTH 12.5 FEET OF LOT 3, ALL IN BLOCK 12, NORTH OAK PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; AND CONTAINING APPROXIMATELY 300 SQUARE FEET.

- 2. A public hearing shall be held on December 16, 2019, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, 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.



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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 Boesen to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

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

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.

[Signature of P. Kay Cmelik]

City Clerk

[Signature of M. Frank Cownie] Mayor