



Roll Call Number

20-0063

Agenda Item Number

33

Date January 13, 2020

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED EAST OF AND ADJOINING 601 KENYON AVENUE TO MCKAYLA D. SLOAN AND CALEB SLOAN FOR \$100.00**

**WHEREAS**, on September 14, 2015, by Roll Call No. 15-1571, the City Council of the City of Des Moines, Iowa voted to authorize acquisition of the necessary right-of-way and easements for the Yeader Creek Grade Control Improvements Project; and

**WHEREAS**, on February 26, 2019, by Resolution No. 34-19, the Board of Supervisors of Polk County, Iowa voted to convey to the City of Des Moines the vacant Polk County property located east of and adjoining 601 Kenyon Avenue, Des Moines, Iowa (hereinafter "Property"), a portion of which was needed by the City of Des Moines for a storm sewer and surface water flowage easement for the Yeader Creek Grade Control Improvements Project; and

**WHEREAS**, McKayla D. Sloan and Caleb Sloan, owners of 601 Kenyon Avenue, have offered to the City of Des Moines ("City") the purchase price of \$100.00 for the purchase of the Property for assemblage with their existing residential property, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to a Permanent Easement for Storm Sewer and Surface Water Flowage over the northernmost portion of the parcel, which easement will be included in the Quit Claim Deed, 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 excess City property located east of and adjoining 601 Kenyon Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein, and further subject to a Permanent Easement for Storm Sewer and Surface Water Flowage over the northernmost portion of the parcel:

Grantee: McKayla D. Sloan and Caleb Sloan

Consideration: \$100.00

Legal Description: 50 F VAC ROW N OF KENYON & EXT THROUGH N 1/2 S 1/2 NE 1/4 SEC 28-78-24

2. A public hearing shall be held on January 27, 2020, 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 Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland  
Lisa A. Wieland, Assistant City Attorney

*RTW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
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.

J. M. Franklin Cownie  
Mayor

P. Kay Cmelik  
City Clerk