



Roll Call Number

20-0221

Agenda Item Number

11

Date February 10, 2020

RESOLUTION APPROVING ISSUANCE OF A REPLACEMENT QUIT CLAIM DEED FOR VACATED ALLEY RIGHT-OF-WAY TO STEVE OSGOOD AND DODY OSGOOD

WHEREAS, on January 26, 1976, the City Council of the City of Des Moines, passed Ordinance No. 9025 vacating the alley right-of-way located west of and adjoining 2206 East 21st Street, Des Moines, Iowa; and

WHEREAS, on February 23, 1976, by Roll Call No. 920, a copy of which is attached hereto as Exhibit A, the City Council of the City of Des Moines, Iowa voted to approve the sale of the east half of said vacated alley to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, owners of 2206 East 21st Street for \$25.00, which price reflected the fair market value of the City property at the time; and

WHEREAS, the City of Des Moines received \$25.00 and issued a quit claim deed conveying the east half of the vacated alley to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, but no record exists of said deed being filed of record with the Polk County Recorder; and

WHEREAS, Steve Osgood and Dody Osgood are now the current owners of 2206 East 21st Street, and they and their predecessors in interest have had possession of and paid taxes on the portion of the alley adjoining said property since the City of Des Moines issued the quit claim deed in 1976; and

WHEREAS, Steve Osgood and Dody Osgood, as successors in interest to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, have asked the City of Des Moines to issue a Replacement Quit Claim Deed conveying the east half of the vacated alley to them in order to clear title to their property.

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

1. The Replacement Quit Claim Deed conveying the City's interest, if any, in the following described portion of the vacated alley adjoining 2206 East 21st Street, Des Moines, Iowa to Steve Osgood and Dody Osgood, as successors in interest to Ralph G. Reasoner, Sr. and Mildred C. Reasoner, is hereby approved:

All of that part of the East 8 feet of the vacated 16-foot alley lying west of and adjoining Lot 7, Block 28, Easton Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Iowa;

VACATED BY ORDINANCE NO. 9025, PASSED JANUARY 26, 1976.

3. The Mayor is authorized and directed to sign the Replacement Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.



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4. The City Clerk is authorized and directed to forward the original of the Replacement Quit Claim Deed, together with a certified copy of this resolution and a certified copy of Roll Call No. 76-920, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Replacement Quit Claim Deed, together with a certified copy of this resolution and a certified copy of Roll Call No. 76-920, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Replacement Quit Claim Deed and copies of the other documents to the grantee.
7. There are no proceeds associated with this conveyance.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

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

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			
<u>J. M. Frankhu Cowme</u> Mayor				

P. Kay Cmelik City Clerk