



Roll Call Number

20-0331

Agenda Item Number

14

Date February 24, 2020

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY ADJOINING 909 SOUTHEAST 9TH STREET AND ADJOINING 904 SOUTHEAST 10TH STREET TO GNS INVESTMENTS, L.C. FOR \$125.00

WHEREAS, on February 19, 1979, by Roll Call No. 664, the City Council of the City of Des Moines passed Ordinance No. 9550, vacating the north-south alley right-of-way lying west of and adjoining 904 Southeast 10th Street; and

WHEREAS, on August 23, 1993, by Roll Call No. 93-3178, the City Council of the City of Des Moines passed Ordinance No. 12,030, vacating the east-west alley right-of-way lying south of and adjoining 909 Southeast 9th Street; and

WHEREAS, GNS Investments, L.C., owner of 904 Southeast 10th Street and 909 Southeast 9th Street, has offered to the City of Des Moines (“City”) the purchase price of \$125.00 for the purchase of the vacated alley right-of-way adjoining its property (hereinafter “Property”), for assemblage with the residential parcels, 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 vacated alley right-of-way lying west of and adjoining 904 Southeast 10th Street and lying south of and adjoining 909 Southeast 9th Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: GNS Investments, L.C.

Consideration: \$125.00

Legal Description: ALL THE VACATED EAST/WEST ALLEY RIGHT OF WAY IN BLOCK 72, - EXCEPT THE EAST 160 FEET THEREOF- AND -EXCEPT THE SOUTH HALF OF SAID VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 1 AND 2 IN SAID BLOCK 72-; AND THE SOUTH 9 FEET OF THE WEST 10 FEET OF THE EAST 160 FEET OF SAID VACATED EAST/WEST ALLEY RIGHT OF WAY; AND THE WEST 10 FEET OF THE NORTH 56 FEET OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY IN SAID BLOCK 72, -EXCEPT THE NORTH 28 FEET THEREOF-; ALL IN TOWN OF DE MOINE, AN OFFICIAL

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PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.05 ACRES (1,989 SQUARE FEET).

2. A public hearing shall be held on March 9, 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.
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

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| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |
| MOTION CARRIED | | | APPROVED | |

J. M. Frank 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.

P. Kay Cmelik City Clerk