

Date June 22, 2020

RESOLUTION TO DISMISS HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 215 WATROUS AVENUE TO LATEKA M. WRIGHT FOR \$50.00

WHEREAS, on September 16, 1996, by Ordinance No. 13,376, the City Council of the City of Des Moines, Iowa vacated the east-west alley right-of-way lying north of and adjoining 215 Watrous Avenue; and

WHEREAS, Lateka M. Wright, owner of 215 Watrous Avenue, offered to the City of Des Moines ("City") the purchase price of \$50.00 for the purchase of the portion of vacated alley right-of-way lying west of and adjoining the north 76 feet of her property at 215 Watrous Avenue (hereinafter "Property"), for assemblage with her residential parcel; and

WHEREAS, on June 8, 2020 by Roll Call No. 20-0902, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on June 22, 2020, at 5:00 p.m., in the MSC Board Room, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa, and due to the Governor's current proclamation associated with the COVID19 outbreak and given Mayor Cownie's March 17, 2020 Proclamation Amendment prohibiting gatherings of ten or more persons on public property and the Section One of the Governor's May 26, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak and further given Section One Thirty Nine of the Governor's May 26, 2020 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend electronically or telephonically; and

WHEREAS, due notice of said proposal to convey the Property was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal, including how to participate telephonically or electronically; and

WHEREAS, Lateka M. Wright, owner of 215 Watrous Avenue, has now rescinded her offer to purchase the Property.

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

1. Upon due consideration of the decision by the buyer, Lateka Wright, to rescind her offer to purchase the south half of the vacated alley right-of-way lying west of and adjoining the north 76 feet of 215 Watrous Avenue, Des Moines, Iowa, described as follows:

ALL OF THE VACATED ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING THE SOUTH 76 FEET OF LOT 42, DEVIN PLACE ADDITION, AN OFFICIAL PLAT, ALL NOW

★ Roll Call Number

20-1072

Agenda Item Number

75

Date June 22, 2020

INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 988 SQUARE FEET;

this hearing is hereby dismissed.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

/s/

Lisa A. Wieland, Assistant City Attorney

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

MOTION CARRIED

APPROVED

J. M. Franklin Cownie 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