

★ Roll Call Number

22-0873

Agenda Item Number

26

Date June 13, 2022

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**SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF ALLEY
RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 2601 EAST MARKET
STREET AND CONVEYANCE TO DEANNA C. CAMPFIELD FOR \$200**

WHEREAS, on May 19, 2022, the Plan and Zoning Commission of the City of Des Moines, Iowa, voted to recommend approval of the request to vacate the east-west alley right-of-way located south of and adjoining 2601 East Market Street, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated; and

WHEREAS, Deanna C. Campfield, the owner of 2601 East Market Street, has offered to the City of Des Moines, Iowa ("City") the purchase price of \$200.00 for the purchase of the east-west alley right-of-way located south of and adjoining 2601 East Market Street (hereinafter "Property") for incorporation into her adjoining property for expanded rear yard, subject to the reservation of 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 alley right-of-way as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the alley right-of-way proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said property.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the east-west alley right-of-way located south of and adjoining 2601 East Market Street, legally described as follows:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 4, 5 AND 6, BLOCK 3, ESHBAUGHS AND WESTS ADDITION TO THE TOWN OF CHESTERFIELD, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.06 ACRES (2,436 SQUARE FEET);

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the alley right-of-way located south of and adjoining 2601 East Market Street, as legally described and to the grantee and for the consideration identified below, subject to reservation of easements therein:

Grantee: Deanna C. Campfield

Consideration: \$200.00

Legal Description:

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ALL OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 4, 5 AND 6, BLOCK 3, ESHBAUGHS AND WESTS ADDITION TO THE TOWN OF CHESTERFIELD, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.06 ACRES (2,436 SQUARE FEET);

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such right-of-way is to be considered shall be on June 27, 2022, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. June 23, 2022 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

Please check the posted agenda in advance of the June 27, 2022 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

5. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

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Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Frank Cownie
Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

Laura Baumgartner
Laura Baumgartner, Acting City Clerk