



Roll Call Number

22-1141

Agenda Item Number

28

Date July 18, 2022

Page 1

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF ALLEY
RIGHT-OF-WAY LOCATED NORTH OF AND ADJOINING 2513 HIGH STREET AND
CONVEYANCE TO ROBERT FULLER FOR \$75.00**

WHEREAS, on June 27, 2022, by Roll Call No. 22-0871 the City Council of the City of Des Moines, Iowa voted to receive and file a recommendation from the City Plan and Zoning Commission to approve a request from Robert Fuller, owner of 2513 High Street, to vacate the east-west alley right-of-way located north of and adjoining a portion of 2513 High Street, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated; and

WHEREAS, Robert Fuller has offered to the City of Des Moines, Iowa (“City”) the purchase price of \$75.00 for the purchase of the vacated east-west alley right-of-way located north of and adjoining 2513 High Street (hereinafter “Property”) for incorporation into his 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 a portion of the east-west alley right-of-way located north of and adjoining 2513 High Street, legally described as follows:

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 36, INGERSOLL PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 800 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell such vacated right-of-way and previously vacated alley right-of-way located north of and adjoining 2513 High Street, as legally described and to the grantee and for the consideration identified below, subject to reservation of easements therein:

Grantee: Robert Fuller
Consideration: \$75.00
Legal Description:



Roll Call Number

22-1141

Agenda Item Number

28

Date July 18, 2022

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 35 OF INGERSOLL PLACE, AN OFFICIAL PLAT,
AND,

ALL OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 36 IN SAID INGERSOLL PLACE,

ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 1,200 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 August 8, 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. August 4, 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 August 8, 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.



Roll Call Number

22-1141

Agenda Item Number

28

Date July 18, 2022

Moved by Gatto to adopt. Second by Boesen.

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	7			

J. M. Frankhu Cowrie 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