

Date May 22, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY IN THE BLOCK BOUNDED BY GARFIELD AVENUE ON THE NORTH, EASTON BOULEVARD ON THE SOUTH, STEWART STREET ON THE EAST AND DIXON STREET ON THE WEST TO FERNANDO GUERRERO CASTILLO, DAVID AND LINDA WOOD, AND SWIFT PROPERTIES, LLC

WHEREAS, on August 17, 1981, by Roll Call No. 4168, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 9999 vacation of all of the north-south alley right-of-way west of adjoining Lots 1 through 15 inclusive, Block 6, Stalford's Addition, said vacation including the portions of alley right-of-way lying west of and adjoining 1258 Stewart Street, east of and adjoining 1247 Dixon Street, and east of and adjoining 1237 Dixon Street, Des Moines, Iowa (hereinafter collectively "Property"); and

WHEREAS, Fernando Guerrero Castillo, owner of 1258 Stewart Street, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$25.00 for the purchase of the east half of the vacated alley right-of-way lying west of and adjoining his property at 1258 Stewart Street (hereinafter "Property"), for assemblage with 1258 Stewart Street, 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, David A. Wood and Linda D. Wood, owners of 1247 Dixon Street, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$150.00 for the purchase of the vacated alley right-of-way lying east of and adjoining their property at 1247 Dixon Street (hereinafter "Property"), for assemblage with 1247 Dixon Street, 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, Swift Properties, LLC, owner of 1237 Dixon Street, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$150.00 for the purchase of the vacated alley right-of-way lying east of and adjoining its property at 1237 Dixon Street (hereinafter "Property"), for assemblage with 1237 Dixon Street, 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:

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Date May 22, 2023

1. The City Council of the City of Des Moines, Iowa, proposes to sell the portions of alley right-of-way lying west of and adjoining 1258 Stewart Street, east of and adjoining 1247 Dixon Street, and east of and adjoining 1237 Dixon Street, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Fernando Guerrero Castillo

Consideration: \$25.00

Legal Description: THE EAST HALF (E 1/2) OF VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 8 IN BLOCK 6 OF STALFORD'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 240 SQUARE FEET.

Grantee: David A. Wood and Linda D. Wood

Consideration: \$150.00

Legal Description: A PART OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF BLOCK 6 IN STALFORD'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF (W 1/2) OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 7 THROUGH 10 IN BLOCK 7, STALFORD AND DIXON'S ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT,

AND

THE EAST HALF (E 1/2) OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 7 IN SAID BLOCK 6,

AND

THE EAST HALF (E 1/2) OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 10 IN SAID BLOCK 6 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 10 IN SAID BLOCK 7 OF SAID STALFORD AND DIXON'S ADDITION TO THE CITY OF DES MOINES, IOWA AND LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 10 OF SAID STALFORD'S ADDITION TO THE CITY OF DES MOINES, AND CONTAINING APPROXIMATELY 1,436 SQUARE FEET.

Grantee: Swift Properties, LLC

Consideration: \$150.00

Legal Description: A PART OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF BLOCK 6 IN STALFORD'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF



Roll Call Number

23-0720

Agenda Item Number

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Date May 22, 2023

THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF SAID VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 11 THROUGH 13 IN BLOCK 7, STALFORD AND DIXON'S ADDITION TO THE CITY OF DES MOINES, IOWA, AN OFFICIAL PLAT, AND CONTAINING APPROXIMATELY 1,440 SQUARE FEET.

- 2. A public hearing shall be held on June 12, 2023, 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. Second by Boesen

APPROVED AS TO FORM:

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED labels.

CERTIFICATE

I, Laura Baumgartner, 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.

Handwritten signature of M. Franklin Cowrie, Mayor

Handwritten signature of Laura Baumgartner, City Clerk