



Roll Call Number

23-0854

Agenda Item Number

49

Date June 12, 2023

HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 1530 EAST 17TH COURT TO JAMES BLAKE FOR \$25.00

WHEREAS, on January 4, 1961, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 6330 vacating the north-south alley right-of-way between East 17th Street and East 17th Court from the south line of East Washington Avenue to the north line of Cleveland Avenue, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, James Blake, owner of 1530 East 17th Court, Des Moines, Iowa, has offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of that portion of vacated alley right-of-way lying west of and adjoining his property at 1530 East 17th Court (hereinafter “Property”), for assemblage with 1530 East 17th Court, 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 for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

WHEREAS, on May 22, 2023 by Roll Call No. 23-0719, 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 12, 2023, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; 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; and

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the east half of the vacated alley right-of-way lying west of and adjoining 1530 East 17th Court, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the east half of the vacated alley right-of-way lying west of and adjoining 1530 East 17th Court, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein and said conveyance is hereby approved:



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Grantee: James Blake

Consideration: \$25.00

Legal Description: A STRIP OF GROUND SEVEN (7) FEET IN WIDTH LYING WEST OF AND ADJACENT TO THE NORTH HALF (N 1/2) OF LOT 5 AND LYING WEST OF AND ADJACENT TO ALL OF LOT 4, IN BLOCK 3, STALFORD AND DIXON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 420 SQUARE FEET.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.
7. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



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Moved by Westergaard to adopt. Second by Gatto

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. Franke, Mayor

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.

Laura Baumgartner

City Clerk

Laura Baumgartner