



Roll Call Number

23-1422

Agenda Item Number

24

Date August 23, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED EAST OF AND ADJOINING 737 SOUTHEAST 26TH COURT TO HENRY A. ARTERO AND CELINA QUIJANO FOR \$25.00

WHEREAS, on October 8, 2001, by Roll Call No. 01-3083, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 14,002 vacating the north-south alley right-of-way between East 26th Court and East 27th Street running north of Maury Street, and dead-ending at the railroad right-of-way, including that portion lying east of and adjoining 737 Southeast 26th Court, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, Henry A. Artero and Celina Quijano, owners of 737 Southeast 26th Court, Des Moines, Iowa, have offered to the City of Des Moines ("City") the purchase price of \$25.00 for the purchase of the portion of the vacated alley right-of-way lying east of and adjoining their property at 737 Southeast 26th Court (hereinafter "Property"), for assemblage with 737 Southeast 26th 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 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:

1. The City Council of the City of Des Moines, Iowa, proposes to sell the vacated alley right-of-way lying east of and adjoining 737 Southeast 26th Court, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Henry A. Artero and Celina Quijano

Consideration: \$25.00

Legal Description: THE WEST HALF (W 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS 31 AND 32, BLOCK 9, LARISON PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 350 SQUARE FEET.

2. A public hearing shall be held on November 6, 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.



Roll Call Number

23-1422

Agenda Item Number

24

Date August 23, 2023

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

Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 6 | | | |

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.

J. M. Franklin Cownie
Mayor

Laura Baumgartner

Laura Baumgartner, City Clerk