



Roll Call Number

23-1684

Agenda Item Number

10

Date December 4, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED NORTH-SOUTH ALLEY RIGHT-OF-WAY LOCATED EAST OF AND ADJOINING 1261 DIXON STREET TO CORTEZ R. NICHOLS AND DENISE C. NICHOLS FOR \$25.00

WHEREAS, on August 17, 1981, by Roll Call No. 4168, the City Council of the City of Des Moines, Iowa passed Ordinance No. 9999 vacating all that part of the north-south alley right-of-way lying east of Lots 1 through 15, Block 7, Stalford’s Addition, including that portion of alley right-of-way lying east of adjoining 1261 Dixon Street; and

WHEREAS, Cortez R. Nichols and Denise C. Nichols, owners of 1261 Dixon Street, have offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of that portion of alley right-of-way lying east of adjoining 1261 Dixon Street (hereinafter “Property”), for assemblage with 1261 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:

1. The City Council of the City of Des Moines, Iowa, proposes to sell a portion of vacated alley right-of-way lying east of adjoining 1261 Dixon Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Cortez R. Nichols and Denise C. Nichols

Consideration: \$25.00

Legal Description: THE WEST HALF (W 1/2) OF VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING LOT 6 IN BLOCK 7 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.

2. A public hearing shall be held on December 18, 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.

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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	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED 7 APPROVED
Connie Boesen Mayor
PLC TEAM

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
Laura Baumgartner, City Clerk