



Roll Call Number

Agenda Item Number

24-1566

18

Date November 18, 2024

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 822 SE 12TH STREET TO MICHEAL CORTEZ FOR \$50.00

WHEREAS, on August 20, 1979, by Roll Call No. 79-3809, the City Council of the City of Des Moines, Iowa passed Ordinance No. 9621 vacating the all the north-south alley right-of-way in Block 10, Allen’s Second Addition, including that portion located west of and adjoining 822 SE 12th Street; and

WHEREAS, Micheal Cortez, owner of 822 SE 12th Street, Des Moines, Iowa, has offered to the City of Des Moines (“City”) the purchase price of \$50.00 for the purchase of the portion of the vacated alley right-of-way lying west of and adjoining his property at 822 SE 12th Street (hereinafter “Property”), for assemblage with 822 SE 12th 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 the vacated alley right-of-way lying west of and adjoining 822 SE 12th Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Micheal Cortez
Consideration: \$50.00

Legal Description: THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WESTERLY OF AND ADJOINING LOT 6, BLOCK 10, ALLEN’S SECOND ADDITION TO 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 560 SQUARE FEET.

- 2. A public hearing shall be held on December 9, 2024, 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
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen 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  
Laura Baumgartner, City Clerk