

SET HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF THE NORTH/SOUTH ALLEY RIGHT-OF WAY LOCATED WEST OF AND ADJOINING 2116 SEARLE STREET AND CONVEYANCE TO LEONARD COSIMO FOR \$50.00

WHEREAS, the City of Des Moines, Iowa (“City”) is the owner of a certain dead-end segment of alley right-of-way located west of and adjoining 2116 Searle Street, Des Moines, Iowa (hereinafter “Property”); and

WHEREAS, Leonard Cosimo, the owner of 2116 Searle Street, has requested the vacation of the north/south alley right-of-way located west of his property at 2116 Searle Street, which request was not presented to the City’s Plan and Zoning Commission for review and has instead been determined by the City Traffic Engineer to have no significant impact upon the public use of the right-of-way, in accordance with Municipal Code 102-286(b), Des Moines, Iowa, subject to the reservation of any necessary easements for all existing utilities in place until abandoned or relocated at the applicant’s expense; and

WHEREAS, Leonard Cosimo has offered to the City the purchase price of \$50.00 for the purchase of the vacated alley right-of-way for assemblage with his adjoining property, 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 alley right-of-way proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said property.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating that portion of the north/south alley right-of way located west of and adjoining 2116 Searle Street, legally described as follows:

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 12, BLOCK 19, EASTON PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 800 SQUARE FEET.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated alley right-of way adjoining 2116 Searle Street, as legally described, to the grantee and for the consideration identified below, subject to reservation of easements therein:

★ **Roll Call Number**

Agenda Item Number

24-1636

19

Date December 9, 2024

Grantee: Leonard Cosimo
 Consideration: \$50.00

Legal Description:

ALL OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING WEST OF AND ADJOINING LOT 12, BLOCK 19, EASTON PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 800 SQUARE FEET.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such right-of-way is to be considered shall be on December 23, 2024, said meeting to be held 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

4. The City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

5. 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 Bueser 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