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Date July 10, 2006

HOLD HEARING FOR THE CONVEYANCE OF THE VACATED WEST 6.0 FEET OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY IN THE BLOCK BOUNDED BY 9TH, 10TH, WALNUT AND MULBERRY STREETS TO PRINCIPLIANT HOTEL COMPANY, L.C. FOR \$56,398

WHEREAS, on June 29, 2006, by Roll Call No. 06-1283, it was duly resolved by the City Council that the proposed conveyance of the vacated West 6.0 feet of the North/South alley right-of-way in the block bounded by 9th, 10th, Walnut and Mulberry Streets, as described below, be set down for hearing on July 10, 2006, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this public real property was given 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 this 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:

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed conveyance of this property as described below are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of the vacated West 6.0 feet of the North/South alley right-of-way in the block bounded by 9th, 10th, Walnut and Mulberry Streets, more specifically described as follows:

All of the vacated North/South alley being the West 6.0 feet of the East 12.0 feet of Lot 6, except the North 19.40 feet thereof, in John A. Garver’s Subdivision of Lots 5 and 6, in Block 2, in West Fort Des Moines, an Official Plat; and the East/West alley right-of-way lying South of and adjoining the West 6.0 feet of the East 12.0 feet of said Lot 6; and the West 6.0 feet of the East 12.0 feet of Lot 7, in Block 2, in West Fort Des Moines, an Official Plat; and the West 6.0 feet of the East 12.0 feet of Lots 7 and 8, in Block 12, in H. M. Hoxie’s Addition to Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(Vacated by Ordinance No. 14,571, passed June 21, 2006.)

DESCRIPTION APPROVED
[Signature]
7/10/06 ad:evj

3. That the sale and conveyance of such right-of-way to Principliant Hotel Company, L.C. for \$56,398 together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.

★ Roll Call Number

Agenda Item Number

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4. The Mayor is authorized and directed to sign the Offer to Purchase and the Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this 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.
6. The Real Estate Division Manager is authorized and directed to forward the original of the 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.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantee.
8. The proceeds from the sale of this property will be deposited into the following account: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767.

(Council Communication No. 06 - 422)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
BROOKS				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, 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.

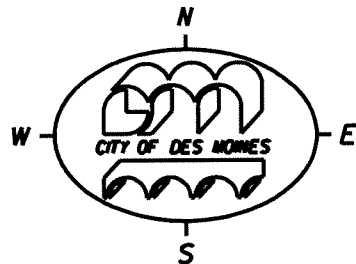
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

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**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
PRINCIPIANT HOTEL COMPANY, LC
PARCEL #163
ACTIVITY I.D. 34-2007-008**