

September 11, 2006

Date

APPROVAL OF RELEASE OF RESTRICTIONS ON PROPERTY
IN THE VICINITY OF MARTIN LUTHER KING JR. PARKWAY
AND HIGH STREET TO BE SOLD TO HUBBELL REALTY COMPANY

WHEREAS, by Roll Call No. 3669 of August 4, 1986, the City Council of the City of Des Moines, Iowa, approved the conveyance of property in the vicinity of High Street and former Harding Road to Stewart G. Hansen subject to a restriction on vehicular access from or onto High Street and a reservation of easement for storm and sanitary sewer; and


WHEREAS, the City reacquired such property as part of the acquisition of right-of-way for the Martin Luther King Jr. Parkway; and

WHEREAS, by Roll Call No. 06-1502 of July 24, 2006, the City Council approved the sale of a portion of such property Hubbell Realty Company and the City has determined that there is no need for the restriction for vehicular access from or onto High Street or for the reservation of the easement for the storm and sanitary sewer which will be replaced and abandoned and the City has determined that the vehicular access restriction and sewer easement should be released.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the Release on file in the Office of the City Clerk with such modifications as may be authorized by the Legal Department is hereby approved and the Mayor is hereby authorized and directed to execute such Release and the City Clerk is directed to attest to his signature.

BE IT FURTHER RESOLVED that the executed Release shall be forwarded to the Real Estate Division of the Engineering Department for filing at Closing.

FORM APPROVED: _____ MOVED by _____ to adopt.



Lawrence R. McDowell
Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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