

Date September 11, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF A DEAD-END SEGMENT OF HAWTHORNE STREET RIGHT-OF-WAY SOUTH OF INDIANOLA ROAD TO DALE C. HYMAN FOR \$200 AND TO CHARLES R. AND PATRICIA J. PUNELLI FOR \$450

WHEREAS, on May 8, 2006, by Roll Call No. 06-883, the City Council adopted a recommendation from the City Plan and Zoning Commission that a dead-end segment of Hawthorne Street right-of-way south of Indianola Road, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantees identified below are the owners of property abutting such right-of-way and have offered to the City of Des Moines the purchase price identified below for the vacation and purchase of the portion of such right-of-way described below.

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating a dead-end segment of Hawthorne Street right-of-way south of Indianola Road, more specifically described as follows:

All that part of Hawthorne Street right-of-way lying South of the southerly right-of-way line of Indianola Avenue and North of a line drawn 16.0 feet northerly from (measured along the easterly line of Hawthorne Street, vacated by Ordinance No. 5354, December 10, 1951) and parallel to the northerly line of Lot 41, all in First Plat of Clifton Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines proposes to sell such right-of-way, as described below to the grantees and for the consideration identified below:

To: Dale C. Hyman for \$200

The West 1/2 of the vacated Hawthorne Street right-of-way lying East of and adjoining Lots 48, 49, 50 and 51, in First Plat of Clifton Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Charles R. and Patricia J. Punelli for \$450

All that part of vacated Hawthorne Street right-of-way lying South of the southerly right-of-way line of Indianola Avenue and North of a line drawn 16.0 feet northerly from (measured along the easterly line of Hawthorne Street, vacated by Ordinance No. 5354, December 10,

DESCRIPTION REVIEWED
James Delaney
9/30/06 12:30

★ Roll Call Number

Agenda Item Number

28

Dispositions – Hyman and Punelli: Page 2

Date September 11, 2006

1951) and parallel to the northerly line of Lot 41, all in First Plat of Clifton Heights, an Official Plat, except the West ½ of the vacated Hawthorne Street right-of-way lying East of and adjoining Lots 48, 49, 50 and 51, in said First Plat of Clifton Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such real estate is to be considered shall be on September 25, 2006, said meeting to be held at 5:00 p.m., in the Council Chamber.

4. That 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. The proceeds from the sale of this property shall be deposited into the following account: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

RM

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| KIERNAN | | | | |
| MAHAFFEY | | | | |
| VLASSIS | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

Mayor

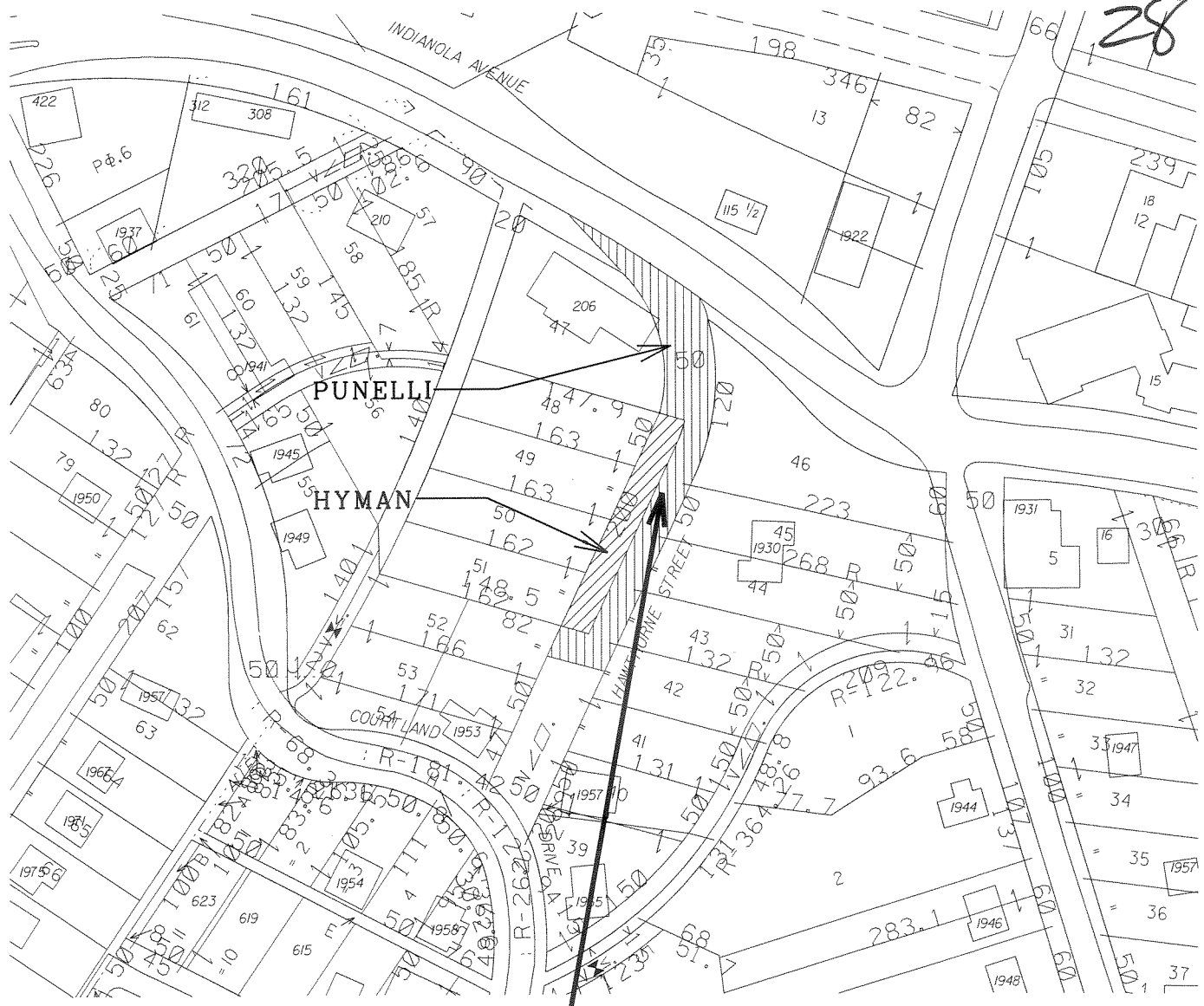
CERTIFICATE

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.

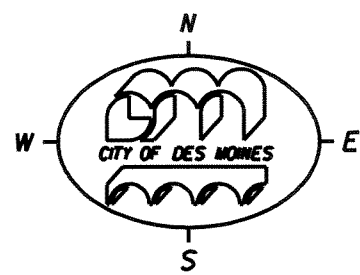
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

28



**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
HAWTHORNE SOUTH FROM INDIANOLA RD
ACTIVITY I.D. 34-2006-054**