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Date October 9, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF THE EAST 10 FEET OF SE 10TH STREET AND THE WEST 10 FEET OF SE 11TH STREET ADJOINING 1005 MAURY STREET TO THE SOUTHERN ROSE, L.P. FOR \$5,600

WHEREAS, on September 11, 2006, by Roll Call No. 06-1768, the City Council adopted a recommendation from the City Plan and Zoning Commission that the East 10 feet of SE 10th Street and the West 10 feet of SE 11th Street adjoining 1005 Maury Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantee identified below is purchasing property abutting such right-of-way from the City of Des Moines for a senior housing facility and has 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 the East 10 feet of SE 10th Street and the West 10 feet of SE 11th Street adjoining 1005 Maury Street, more specifically described as follows:

The East 10.0 feet of Southeast 10th Street right-of-way lying West of and adjoining Lots 1 through 5, Block 5, Allen’s Second Addition to Des Moines, an Official Plat; and the West 10.0 feet of Southeast 11th Street right-of-way lying East of and adjoining Lots 6 through 10, of said Block 5, 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 grantee and for the consideration identified below:

To: The Southern Rose, L.P. for \$5,600

The East 10.0 feet of vacated Southeast 10th Street right-of-way lying West of and adjoining Lots 1 through 5, Block 5, Allen’s Second Addition to Des Moines, an Official Plat; and the West 10.0 feet of vacated Southeast 11th Street right-of-way lying East of and adjoining Lots 6 through 10, of said Block 5, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
10/9/06
19:59

★ **Roll Call Number**

Agenda Item Number

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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 October 23, 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

PSW

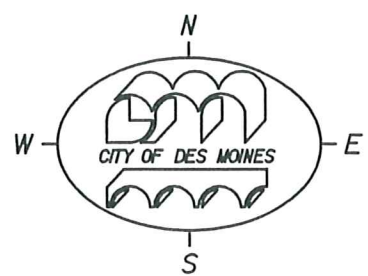
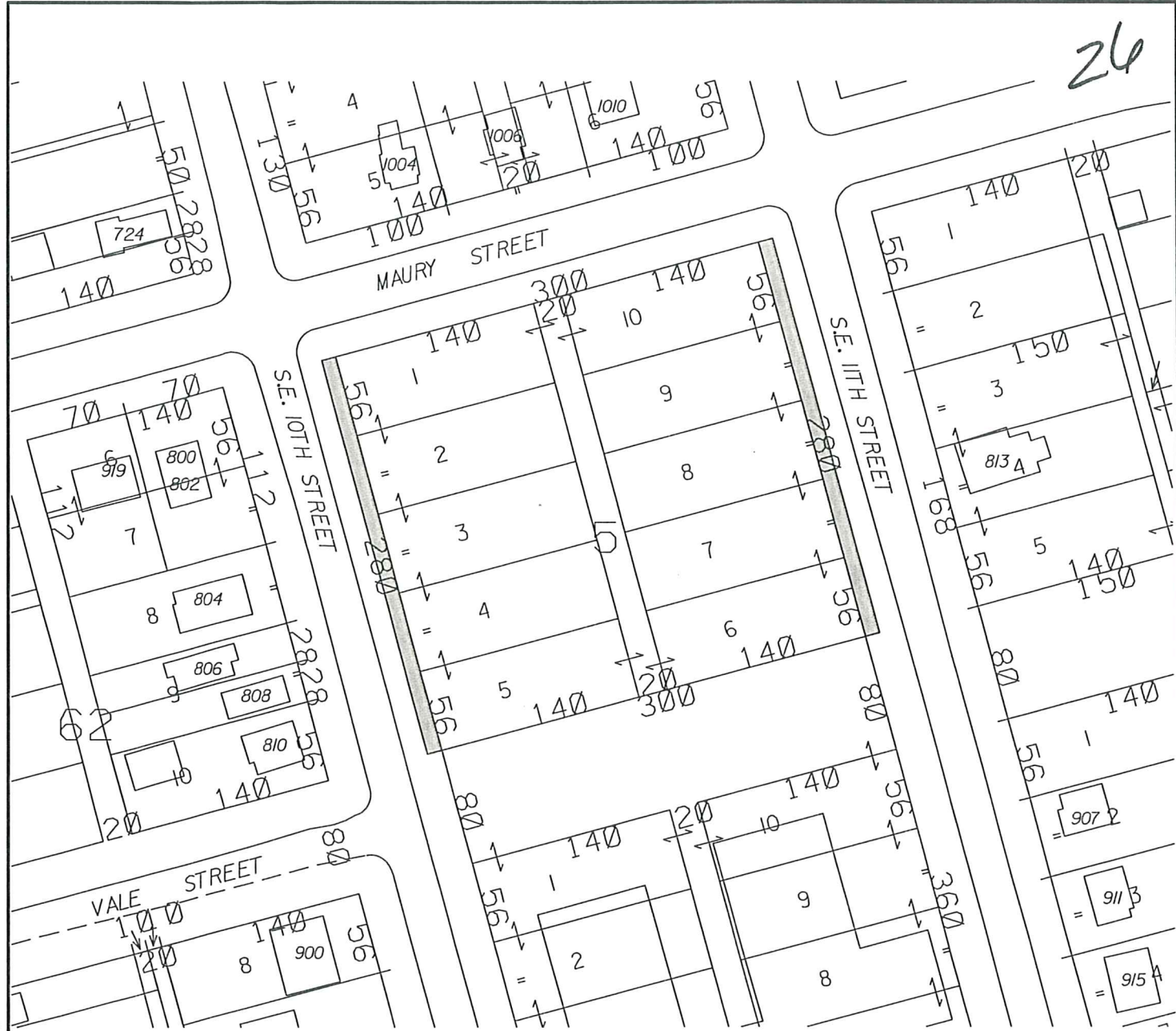
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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



THE SOUTHERN ROSE, LP
 ACTIVITY I.D. 34-2005-040
 E. 10' SE 10TH STREET
 AND W. 10' SE 11TH STREET