

Date November 20, 2006

SET HEARING FOR THE VACATION AND CONVEYANCE OF A PORTION OF THE EAST/WEST ALLEY EXTENDING WEST FROM EAST 30TH STREET BETWEEN EAST GRAND AND EAST CAPITOL AVENUES, AND THE NORTH 25 FEET OF A SEGMENT OF CAPITOL AVENUE EXTENDING WEST FROM EAST 30TH STREET, TO NEIGHBORHOOD DEVELOPMENT CORPORATION FOR \$4,800

WHEREAS, on September 25, 2006, by Roll Call No. 06-1878, the City Council approved the preliminary terms of an agreement with Neighborhood Development Corporation for the construction of a new hotel at East 30th Street and East Grand Avenue. As part of the preliminary terms, the City agreed that upon any sale of vacated right-of-way needed for the project, the City would sell the land for one-half of the fair market value, with the balance to be treated as an Economic Development Grant to the project.

WHEREAS, on October 23, 2006, by Roll Call No. 06-2087, the City Council adopted a recommendation from the City Plan and Zoning Commission that a portion of the East/West alley extending West from East 30th Street between East Grand and East Capitol Avenues, hereinafter more fully described, be vacated and sold; and

WHEREAS, on November 6, 2006, by Roll Call No. 06-2175, the City Council adopted a recommendation from the City Plan and Zoning Commission that the North 25 feet of a segment of Capitol Avenue extending West from East 30th Street, hereinafter more fully described, be vacated and sold; and

WHEREAS, the grantee identified below is the owner of property abutting such rights-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of the portion of such rights-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 following described rights-of-way:

East/West Alley

Except the East 4.5 feet, all the East/West alley right-of-way lying North of and adjoining Lots 1, 2, 3 and 4, Block 1, Elbert and York's Addition to Grand Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
[Signature]
11/14/06

Date November 20, 2006

Capitol Avenue

The North 25.0 feet of the Capitol Avenue right-of-way lying South of and adjoining Lots 1, 2, 3 and 4, Block 1, Elbert and York’s Addition to Grand Park, 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 rights-of-way, the City of Des Moines proposes to sell such rights-of-way, as described below to the grantee and for the consideration identified below:

To: Neighborhood Development Corporation for \$4,800 plus grantee’s agreement to construct a 69 room hotel on the property.

East/West Alley

Except the East 4.5 feet, all the vacated East/West alley right-of-way lying North of and adjoining Lots 1, 2, 3 and 4, Block 1, Elbert and York’s Addition to Grand Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Capitol Avenue

The vacated North 25.0 feet of the Capitol Avenue right-of-way lying South of and adjoining Lots 1, 2, 3 and 4, Block 1, Elbert and York’s Addition to Grand Park, 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 December 4, 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.

DESCRIPTION REVIEWED
[Signature]
11/14/06 12:03

★ Roll Call Number

Agenda Item Number


19

Date November 20, 2006

Dispositions – Neighborhood Development Corporation: Page 3

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Ann DiDonato
 Assistant City Attorney

RJW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

CERTIFICATE

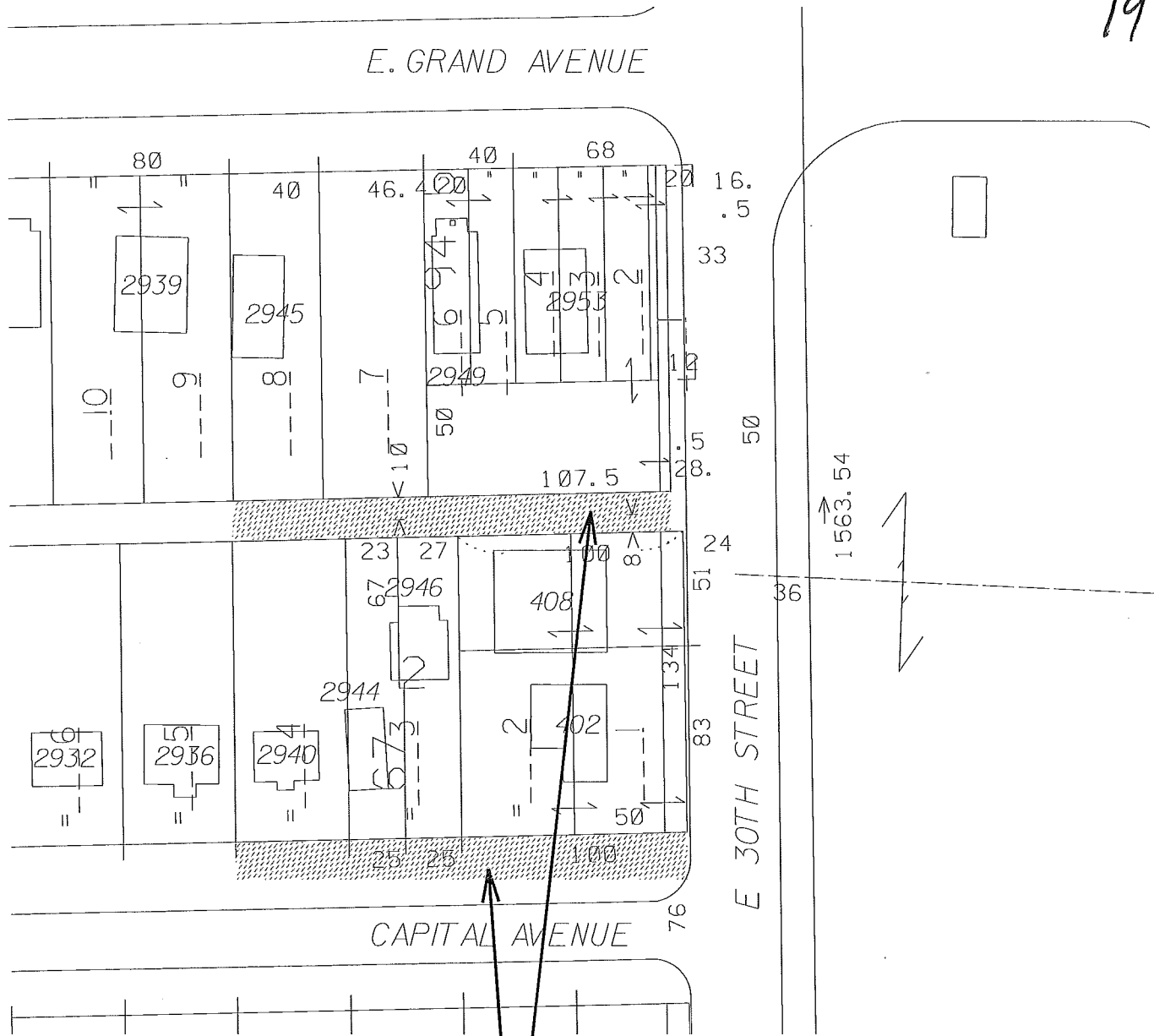
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

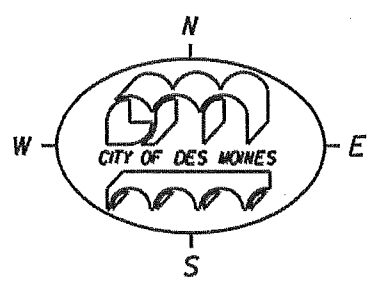
MOTION CARRIED APPROVED

 Mayor

 City Clerk



PROPERTY
LOCATION



PROPERTY DISPOSITION
NEIGHBORHOOD DEVELOPMENT CORP.
ACTIVITY I.D. 34-2007-028