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Date December 3, 2007

Disposition - Blanchard, et al: Page 1

**HOLD HEARING FOR CONVEYANCE OF THE PREVIOUSLY VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY BETWEEN EAST 28<sup>TH</sup> COURT AND EAST 29<sup>TH</sup> STREET, SOUTH OF DEAN AVENUE, TO ADJOINING PROPERTY OWNERS FOR \$200**

WHEREAS, on July 28, 2003, by Roll Call No. 03-1793, the City Council approved Ordinance No. 14,258 vacating the North/South alley right-of-way between East 28<sup>th</sup> Court and East 29<sup>th</sup> Street, south of Dean Avenue; and

WHEREAS, the owners of property abutting such vacated right-of-way have offered to the City of Des Moines the purchase price listed below for the purchase of such property, more specifically described below.

WHEREAS, on November 19, 2007, by Roll Call No. 07- 2196 , it was duly resolved by the City Council that the proposed conveyance of the vacated alley right-of-way between East 28<sup>th</sup> Court and East 29<sup>th</sup> Street, south of Dean Avenue, be set down for hearing on December 3, 2007, 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 this property to the grantees and for the consideration more specifically described as follows:

To: Jerry R. Peacock, Jr. and Eva Peacock for \$25

The East 1/2 of the vacated North/South alley right-of-way lying West of and adjoining Lot 43, Block O, Hartley's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED  
1/10/07 at 3:07  
*[Signature]*

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To: Brian J. Bickel for \$25

The West 1/2 of the vacated North/South alley right-of-way lying East of and adjoining Lot 55, Block O, Hartley's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: Robert L. and Pamela S. Conn for \$50

All of the vacated North/South alley right-of-way lying West of and adjoining Lot 44, Block O, Hartley's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To: William and Judy Blanchard for \$50

All of the vacated North/South alley right-of-way lying West of and adjoining Lot 45, Block O, Hartley's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To David L. and Dana L. Abell

All of the vacated North/South alley right-of-way lying East of and adjoining Lot 52, Block O, Hartley's Addition to Grant Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the sale and conveyance of such right-of-way to the buyers for the consideration described above, together with payment by such grantees of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Offers to Purchase and Quit Claim Deeds for the conveyances 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 originals of these Deeds, 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 originals of the Deeds, 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 originals of the Deeds and copies of the other documents to the grantees.

DESCRIPTION REVIEWED  
11/13/07  
[Signature]

★ Roll Call Number

Agenda Item Number

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8. The proceeds from the sale of this property will be deposited into the following account: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

(Council Communication No. 07-719)

Moved by \_\_\_\_\_ to adopt.

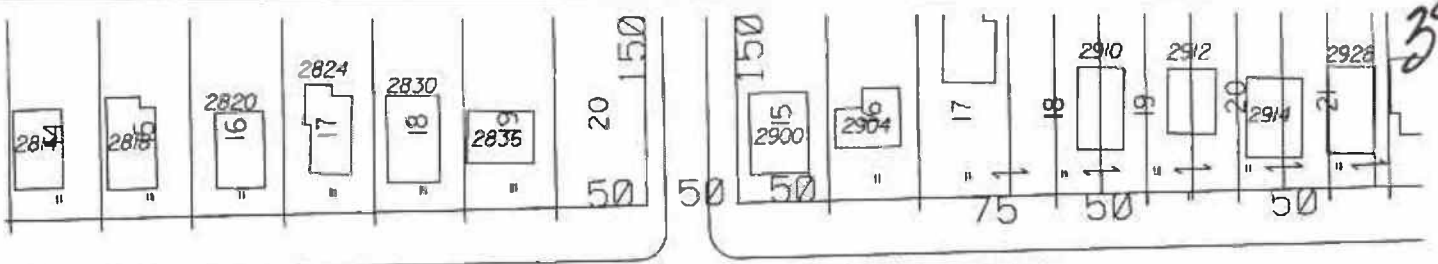
APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

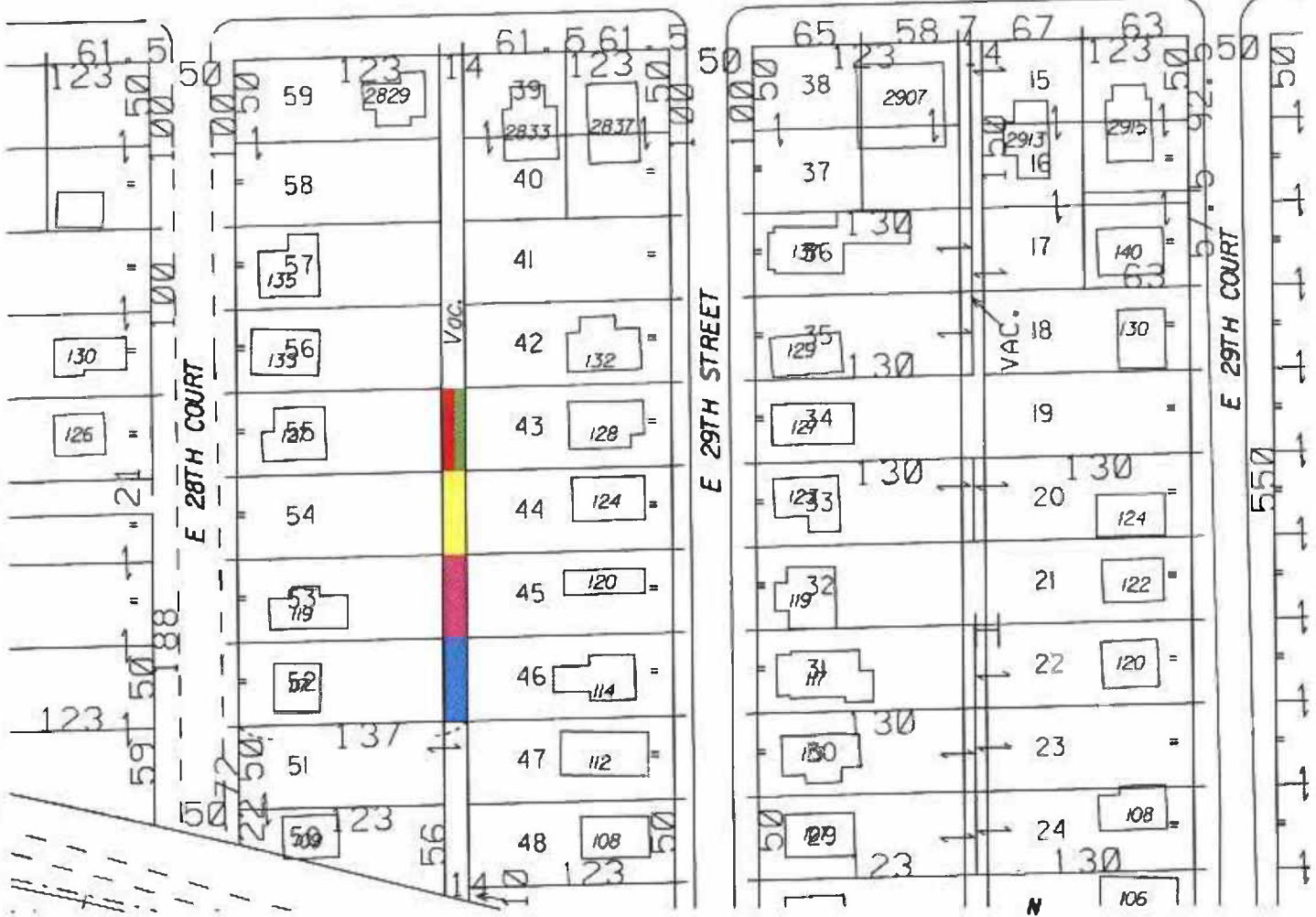
Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, TOTAL, MOTION CARRIED, APPROVED, Mayor.

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

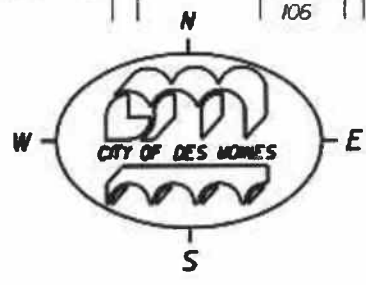
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DEAN AVENUE



- BICKEL
- PEACOCK
- CONN
- BLANCHARD
- ABELL



**PROPERTY DISPOSITION**  
**N/S ALLEY BETWEEN 28TH & 29TH**  
**ACTIVITY I.D. 34-2008-016**