

Date January 12, 2015

**HOLD HEARING FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY  
ADJOINING 923 EAST RAILROAD AVENUE TO JESSE E. RAMIREZ, FOR \$150**

**WHEREAS**, on August 4, 1997, by Roll Call Number 97-2746, the City Council of the City of Des Moines vacated all of the alley right-of-way in the block located south of E. Railroad Avenue between S.E. 9<sup>th</sup> Street and S.E. 10<sup>th</sup> Street, including the portion of alley right-of-way lying south of and adjoining 923 E. Railroad Avenue ("Property"); and

**WHEREAS**, Jesse E. Ramirez, owner of 923 E. Railroad Avenue, has offered to the City of Des Moines the purchase price of \$150.00 for the purchase of the vacated alley right-of-way adjoining his property for incorporation into the larger residential parcel, which price reflects the fair market value of the Property as currently estimated by the City's Real Estate Division; and

**WHEREAS**, there is no known current or future public need for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property; and

**WHEREAS**, on December 22, 2014 by Roll Call No. 14-1931, it was duly resolved by the City Council that the proposed conveyance of the Property be set down for hearing on January 12, at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of said proposal to convey the 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 the 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, any and all objections to the proposed conveyance of the City-owned 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 the vacated alley right-of-way adjoining 923 E. Railroad Avenue, Des Moines, Iowa, as legally described below and to the grantees and for the consideration identified below, subject to reservation of easements therein, and said conveyance is hereby approved:

To: Jesse E. Ramirez

Date January 12, 2015

For: \$150

Legal Description:

ALL OF THE VACATED ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOT 7, BLOCK 73, TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Deed, 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.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Deed, 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.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantees.
7. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

(Council Communication No. 15- 010)

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

★ **Roll Call Number**


**Agenda Item Number**

47

Page 3

Date January 12, 2015

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 Cori Kuhn Coleman  
 Assistant City Attorney

*PSW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
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