

Date July 13, 2015

**SET HEARING FOR VACATION AND CONVEYANCE OF THE SW 60<sup>TH</sup> STREET RIGHT-OF-WAY ADJOINING 6216 SW 60<sup>TH</sup> STREET AND 6001 ARMY POST ROAD TO ANNETT HOLDINGS, INC. FOR \$82,000**

**WHEREAS**, on December 4, 2006, by Roll Call No. 06-2369, City Council received a recommendation from the City Plan and Zoning Commission regarding a request from Annett Holdings, Inc. for vacation and conveyance of a portion of SW 60<sup>th</sup> Street between SW Leland Avenue and Army Post Road (City Right-of-Way), subject to reservation of easements for all existing utilities until such time that they are abandoned or relocated at the owner's expense.

**WHEREAS**, Annett Holdings, Inc., owner of all property adjoining the City Right-of-Way, including the property located at 6216 SW 60<sup>th</sup> Street, has offered to the City of Des Moines the purchase price of \$82,000.00 for the vacation and purchase of SW 60<sup>th</sup> Street between SW Leland Avenue and Army Post Road in order to assemble the City Right-of-Way with its adjoining properties, which price reflects the appraised value of the City Right-of-Way.

**WHEREAS**, any future commercial development of the City Right-of-Way will be subject to site plan review and approval by the City's Permit and Development Center,; and

**WHEREAS**, there is no known current or future public need or benefit for the City Right-of-Way proposed to be vacated and conveyed, and the City will not be inconvenienced by the vacation and sale of said property.

**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 portion of SW 60<sup>th</sup> Street between SW Leland Avenue and Army Post Road, legally described as follows:

-EXCEPT THE SOUTH 35 FEET-, ALL THAT PART OF LOT B LYING BETWEEN THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 1 AND THE SOUTH LINE OF SAID LOT B, ALL IN THE REPLAT OF BLOOMFIELD HILLS PLAT 2, AN OFFICIAL PLAT, AND ALL THAT PART OF LOT A OF SAID REPLAT OF BLOOMFIELD HILLS PLAT 2, LYING WEST OF THE WEST LINE OF SAID LOT B AND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 35,695 SQUARE FEET.

.....  
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2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines further proposes to sell such vacated right-of-way, as legally described below, to Annett Holdings, Inc., for \$82,000.00, subject to the conditions above as set forth by the Plan and Zoning Commission recommendation:

-EXCEPT THE SOUTH 35 FEET-, ALL THAT PART OF VACATED LOT B LYING BETWEEN THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 1 AND THE SOUTH LINE OF SAID LOT B, ALL IN THE REPLAT OF BLOOMFIELD HILLS PLAT 2, AN OFFICIAL PLAT,  
AND  
ALL THAT PART OF VACATED LOT A OF SAID REPLAT OF BLOOMFIELD HILLS PLAT 2, LYING WEST OF THE WEST LINE OF SAID LOT B AND LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIMATELY 35,695 SQUARE FEET.

3. A public hearing shall be held on July 27, 2015, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.

4. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

5. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.



Roll Call Number

Agenda Item Number

22

Date July 13, 2015

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

APPROVED AS TO FORM:

*Lisa A. Wieland*

Lisa A. Wieland, Assistant City Attorney

*DR*

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

SW Leland Ave

SW 60th St

Hwy 28 Hwy

Hwy 28 Hwy

Army Post Rd

**Legend**

 PROJECT LOCATION

