

Date : May 24, 2021

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED EAST-WEST ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 2815 EAST WASHINGTON AVENUE TO BRITTANI RAE ROBBINS FOR \$25.00**

**WHEREAS**, on July 22, 1996, by Roll Call No. 96-2633, the City Council of the City of Des Moines, Iowa voted to approve the vacation of the east-west alley right-of-way lying north of and adjoining Lots 136 through 140 Boulevard Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and

**WHEREAS**, Brittani Rae Robbins, owner of 2815 East Washington Avenue, has offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of the portion of the vacated east-west alley right-of-way located south of and adjoining her property (hereinafter “Property”), for assemblage with her residential property, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property as determined by the City’s Real Estate Division; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to sell a portion of vacated east-west alley right-of-way located south of and adjoining 2815 East Washington Avenue, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Brittani Rae Robbins

Consideration: \$25.00

Legal Description: THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 136 AND 137, BOULEVARD ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 592 SQUARE FEET.

2. A public hearing shall be held on June 14, 2021, 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.

Please check the posted agenda in advance of the June 14, 2021 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

★ **Roll Call Number**

**Agenda Item Number**

*20*

**Date** May 24, 2021

3. 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.
4. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

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

APPROVED AS TO FORM:

/s/ Lisa A. Wieland  
 Lisa A. Wieland, Assistant City Attorney

*pw*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
 Mayor

**CERTIFICATE**

I, P. Kay Cmelik, 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



REGISTER ORDER NO. \_\_\_\_\_ ROLL CALL LEGAL BULLETIN BOARD FOLLOW UP

NOTICE OF PROPOSAL TO CONVEY CITY-OWNED REAL ESTATE

NOTICE IS HEREBY GIVEN that the City Council has adopted a resolution relating to a proposal to convey a portion of the vacated east-west alley right-of-way located south of and adjoining 2815 East Washington Avenue, Des Moines, Iowa, as legally described, to Brittani Rae Robbins, for \$25.00, subject to a reservation of easement for utilities therein:

THE SOUTH HALF (S 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 136 AND 137, BOULEVARD ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 592 SQUARE FEET.

NOTICE IS FURTHER GIVEN that the City Council will consider the proposed conveyance after a public hearing to be held at 5:00 p.m. June 14, 2021 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing. In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. June 10, 2021 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1<sup>st</sup> Floor, Des Moines, IA 50309; Email [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org)).

Please check the posted agenda in advance of the June 14, 2021 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

Published in the Des Moines Register on \_\_\_\_\_.

JUL 15 1996 96-2524

JUL 22 1996 96-2633

ORDINANCE NO. 13,359

DESCRIPTION APPROVED  
11. 40  
*[Signature]*

AN ORDINANCE vacating all the East/West alley right-of-way lying North of and adjoining Lots 136, 137, 138, 139, and 140, Boulevard Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa,

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated; NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That all of the East/West alley right of way lying North of and adjoining Lots 136, 137, 138, 139, and 140, Boulevard Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, be and is hereby vacated.

Section 2. That this vacation is made with reservations of right-of-way easements for any public utilities now in place with the right of entry for servicing same.

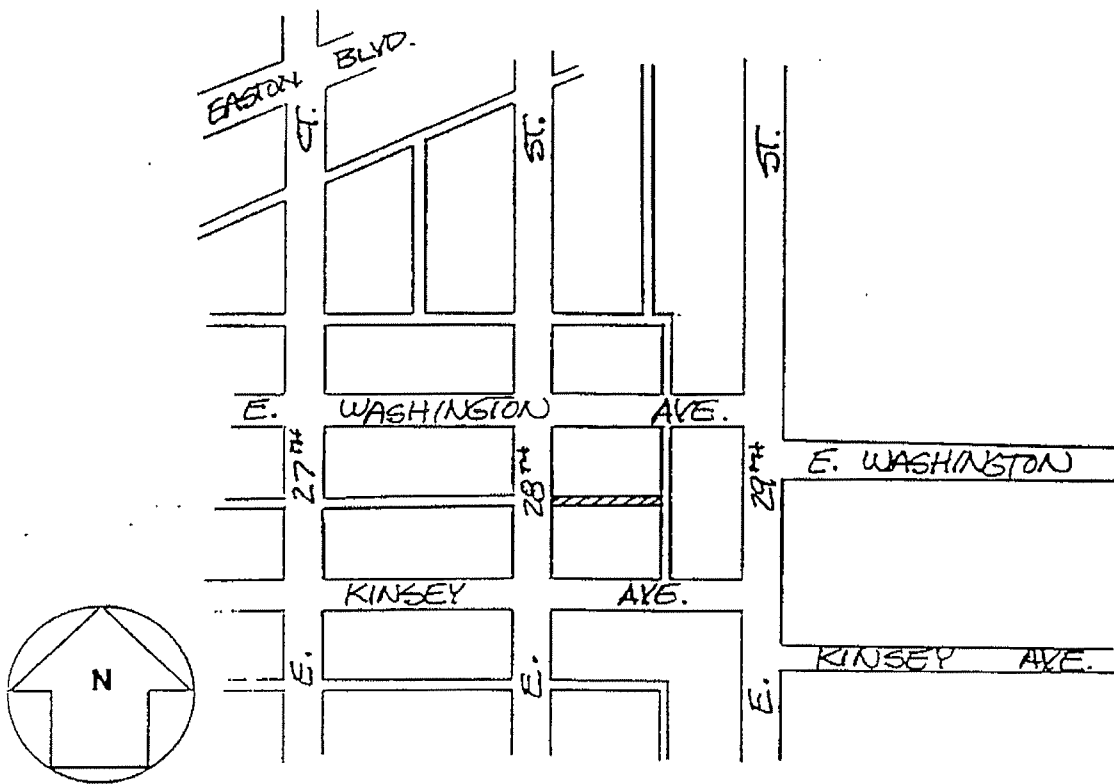
Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

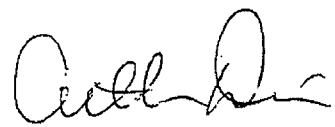
*Roger K. Brown*  
Roger K. Brown  
Assistant City Attorney

13,359



11-96-1.26

Ordinance No. 13,359 cont'd



Arthur Davis, Mayor

Attest:

I, Donna V. Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 96-~~2633~~), passed by the City Council of said City at a meeting held July 22, 1996, signed by the Mayor on July 22, 1996, and published as provided by law in the Business Record on August 5, 1996. Authorized by Publication Order No. 5023.



Donna V. Boetel-Baker CMC/AE, City Clerk

★ Roll Call Number  
96-2633  
 Date July 22, 1996

Agenda Item Number  
46

DESCRIPTION APPROVED  
 11.13.96  
 [Signature]

An Ordinance entitled, "AN ORDINANCE vacating all of the East/West alley right-of-way lying North of and adjoining Lots 136, 137, 138, 139 and 140, Boulevard Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa,"

which was considered and voted upon for the first time under Roll Call No. 96-2529 of July 15, 1996;

again presented. Notice of the proposed vacation was published as provided in Sections 362.3 and 380.3 of the Code of Iowa (1995), and copies were available since the time of publication in the office of the City Clerk.

Moved by Hensley that this ordinance do now pass.

ORDINANCE NO. 13,359

(Subject property in the vicinity of E. 28th Street and Washington Avenue)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
DAVIS	✓			
PHILLIPS	✓			
DANIELS	✓			
FLAGG	✓			
HENSLEY	✓			
McPHERSON	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
 [Signature] Mayor

CERTIFICATE

I, DONNA V. BOETEL-BAKER, 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.

[Signature] City Clerk