

Date November 7, 2022

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PORTION OF VACATED SOUTHEAST 4TH STREET RIGHT-OF-WAY LOCATED EAST OF AND ADJOINING 303 SCOTT AVENUE TO ONESPEED DSM, L.L.C. FOR \$45,400

WHEREAS, on October 24, 2022, by Roll Call No. 22-1677, the City Council of the City of Des Moines, Iowa voted to approve the vacation of the portion of Southeast 4th Street right-of-way located east of and adjoining 303 Scott Avenue, Des Moines, Iowa (hereinafter “Property”), subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated; and

WHEREAS, OneSpeed DSM, L.L.C., an Iowa limited liability company, owner of 303 Scott Avenue, has offered to the City of Des Moines (“City”) the purchase price of \$45,400.00 for the purchase of a portion of the vacated Southeast 4th Street located east of and adjoining its property 303 Scott Avenue (hereinafter “Property”) for assemblage with 303 Scott Avenue, 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 City 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 the vacated Southeast 4th Street right-of-way located east of and adjoining 303 Scott Avenue, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: OneSpeed DSM, L.L.C.

Consideration: \$45,400.00

Legal Description:

PARCEL #2022-1164

A PART OF THE VACATED SE 4TH STREET RIGHT-OF-WAY LYING SOUTH OF SCOTT AVENUE AND ADJACENT TO LOTS 5, 10, 11 AND 12, BLOCK 80, TOWN OF DE MOINE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES

Date November 7, 2022

MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 55 OF SAID TOWN OF DE MOINE; THENCE SOUTH 74°54'04" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SCOTT AVENUE, 440.63 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 14°59'56" EAST, 177.70 FEET; THENCE SOUTH 74°58'24" WEST, 42.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12 AND THE WEST RIGHT-OF-WAY LINE OF VACATED SE 4TH STREET; THENCE NORTH 14°59'56" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 177.65 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF SCOTT AVENUE; THENCE NORTH 74°54'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 42.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES (7,574 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

2. A public hearing shall be held on November 21, 2022, 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

Please check the posted agenda in advance of the November 21, 2022 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.

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.

 **Roll Call Number**

Agenda Item Number

17

Date November 7, 2022

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner, City Clerk

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
 ERIN D. GRIFFIN
 SNYDER & ASSOCIATES, INC.
 2727 SW SNYDER BOULEVARD
 ANKENY, IOWA 50023
 515-964-2020
 ERINGRIFFIN@SNYDER-ASSOCIATES.COM

SERVICE PROVIDED BY:
 SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
 PT. VACATED SE 4TH STREET RIGHT-OF-WAY
 BLOCK 80
 TOWN OF DE MOINE

REQUESTED BY:
 SINGLE SPEED BREWING CO.

PLAT OF SURVEY
 OF PROPERTY BEING CONVEYED
 BY THE CITY OF DES MOINES

LEGAL DESCRIPTION OF PARCEL #2022-1164

A PART OF THE VACATED SE 4TH STREET RIGHT-OF-WAY LYING SOUTH OF SCOTT AVENUE AND ADJACENT TO LOTS 5, 10, 11 AND 12, BLOCK 80, TOWN OF DE MOINE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 55 OF SAID TOWN OF DE MOINE; THENCE SOUTH 74°54'04" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SCOTT AVENUE, 440.63 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 14°59'56" EAST, 177.70 FEET; THENCE SOUTH 74°58'24" WEST, 42.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12 AND THE WEST RIGHT-OF-WAY LINE OF VACATED SE 4TH STREET; THENCE NORTH 14°59'56" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, 177.65 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF SCOTT AVENUE; THENCE NORTH 74°54'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 42.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES (7,574 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

04-04-22

OWNER

CITY OF DES MOINES
 400 ROBERT D RAY DR
 DES MOINES, IA 50309

BASIS OF BEARING

THE SOUTH RIGHT-OF-WAY LINE OF SCOTT AVENUE IS ASSUMED TO BEAR SOUTH 74°54'04" WEST FOR THE PURPOSES OF THIS SURVEY.

LEGEND

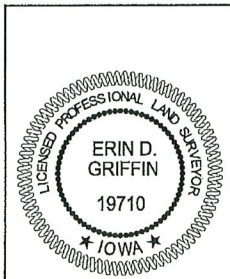
FEATURES

- Section Corner
- 1/2" Rebar, Cap # 19710
w/Yellow Plastic Cap
(Unless Otherwise Noted)
- ROW Marker
- ROW Rail
- Platted Distance
- Measured Bearing & Distance
- Recorded As
- Deed Distance
- Calculated Distance
- Centerline
- Section Line
- 1/4 Section Line
- 1/4 1/4 Section Line
- Easement Line

FOUND SET

- ▲ ▲
- ○
- □
- P P
- M M
- R R
- D D
- C C

EPS 8-25-22



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Erin D. Griffin, PLS 8/23/22
 Erin D. Griffin, PLS Date

License Number 19710
 My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:
 Sheet 1 and 2 of 2

PT. VACATED SE 4TH STREET RIGHT-OF-WAY

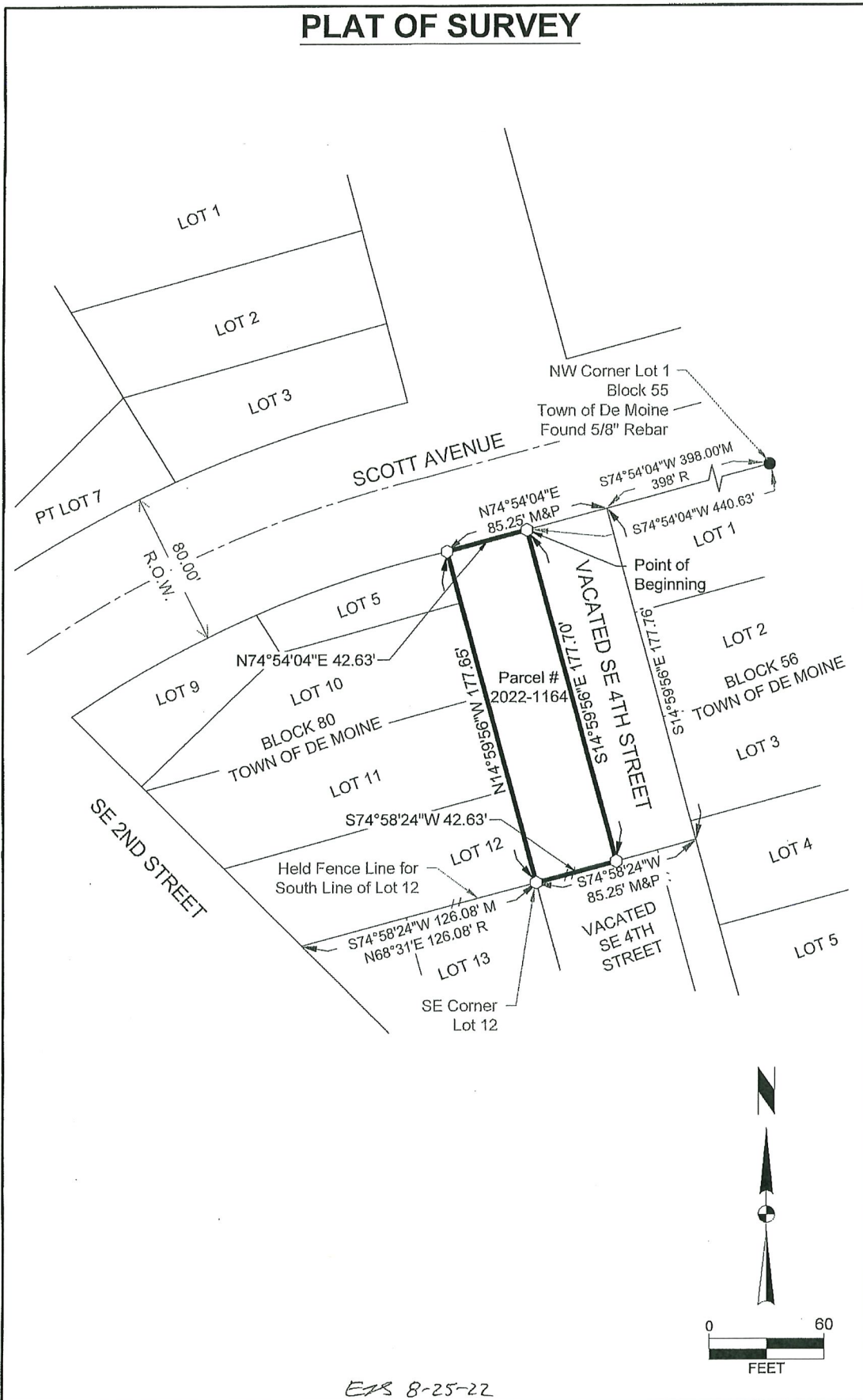
PLAT OF SURVEY




2727 S.W. SNYDER BLVD.
 ANKENY, IA 50023 (515) 964-2020

SHEET 1 OF 2
PN: 122.0498.01A
T-R-S:78N-24W-10
DATE: 07/15/22
PM/TECH: EDG/SDB

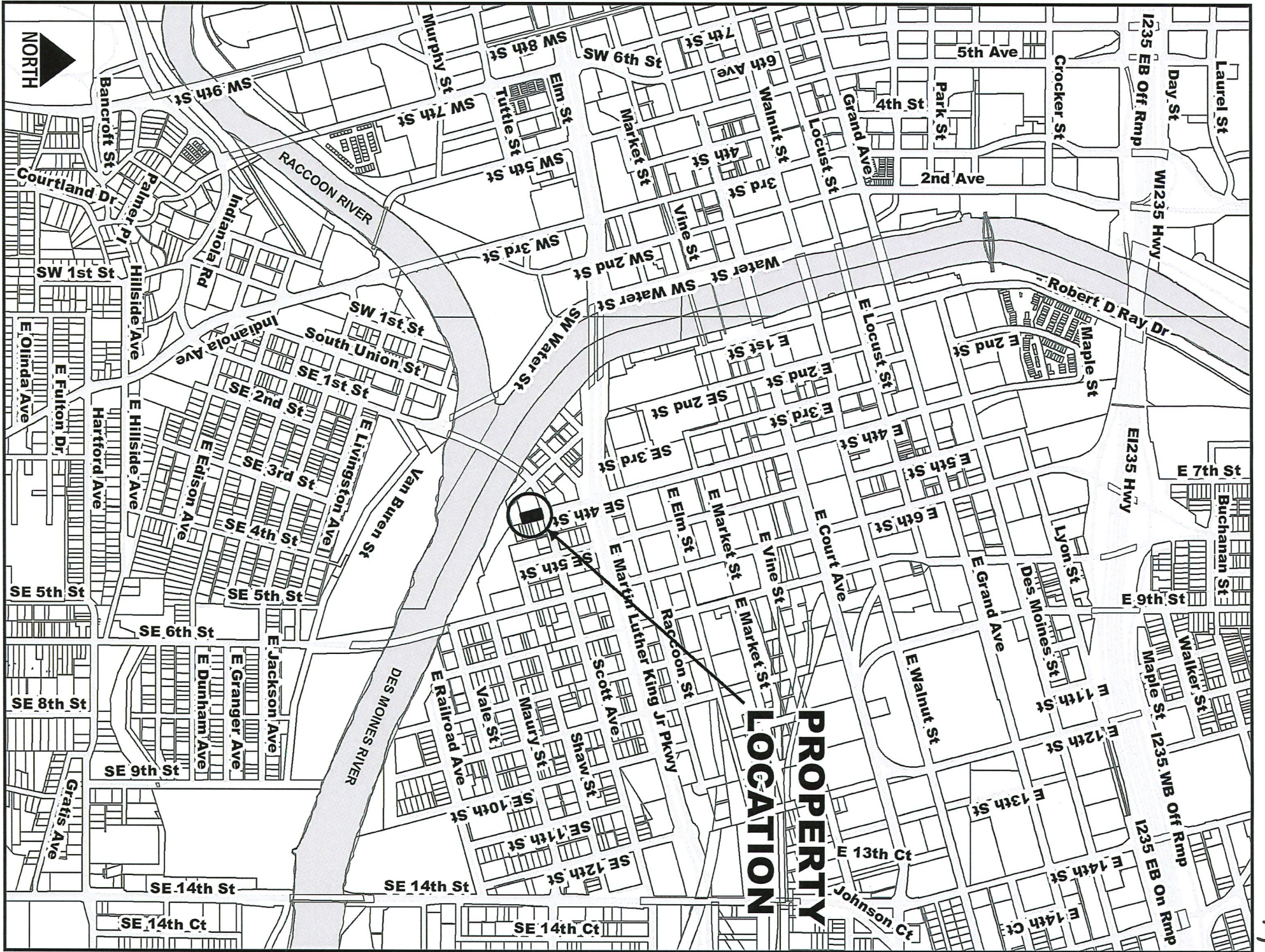
PLAT OF SURVEY



EAR 8-25-22

PT. VACATED SE 4TH STREET RIGHT-OF-WAY		SHEET 2 OF 2
PLAT OF SURVEY		PN: 122.0498.01A
		T-R-S: 78N-24W-10
2727 S.W. SNYDER BLVD. ANKENY, IA 50023 (515) 964-2020		DATE: 07/15/22
		PM/TECH: EDG/SDB

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**PROPERTY
LOCATION**