



Date April 1, 2024

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF
VACATED ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 1319
EAST OAK PARK AVENUE TO JESSICA NORRIS FOR \$25.00**

WHEREAS, on January 8, 2024, by Roll Call No. 24-0059, the City Council of the City of Des Moines, Iowa voted to approve the vacation of a dead end section of alley right-of-way located in the block bounded by East Oak Park Avenue to the north, East Ovid avenue to the south and York street to the east; and

WHEREAS, Joel Stanger, 1319 E Oak Park Ave, indicated he was not interested in the portion of property, the alley right-of-way located south of and adjoining his property of 1319 East Oak Park; and

WHEREAS, Jessica R. Norris, owner of 3408 York Street, has offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of the vacated alley right-of-way located south of and adjoining 1319 East Oak Park (hereinafter “Property”), for assemblage with 3408 York Street, 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 for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

WHEREAS, on March 18, 2024 by Roll Call No. 24-0413, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on May 6, 2019, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to convey the Property was given to all necessary parties 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, as follows:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the vacated alley right-of-way located south of and adjoining 1319 East Oak Park, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.



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2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the vacated alley right-of-way located south of and adjoining 1319 East Oak Park, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein and said conveyance is hereby approved:

Grantee: Jessica R. Norris

Consideration: \$25.00

Legal Description:

THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 24, MANN'S 2ND ADDITION TO HIGHLAND PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APROXIAMATELY 350 SQUARE FEET.

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. The City Manager is authorized to sign any minor and non-substantial amendments to the purchase agreement and is further authorized to grant any temporary rights of entry for construction-related activities prior to closing.

5. 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 Quit Claim 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.

6. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim 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.

7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.

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



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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
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

City Clerk

EXHIBIT A

E Oak Park Ave

MANN'S 2ND ADDITION TO HIGHLAND PARK

LOT 20

LOT 21

LOT 22

LOT 23

LOT 24

LOT 25

WEST LINE
OF LOT 24

EAST LINE
OF LOT 24

VAC ALLEY

VAC ALLEY

York St

3408
York St

CENTERLINE
OF VAC ALLEY

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

Legend

 AREA TO BE CONVEYED

 AREA PREVIOUSLY CONVEYED TO NORRIS



E Ovid Ave

CH