

★ **Roll Call Number**
..... 13-1793

Agenda Item Number
..... 21

Date November 18, 2013

SET HEARING FOR CONVEYANCE OF A PORTION OF THE VACATED NORTH-SOUTH ALLEY RIGHT-OF-WAY LOCATED EAST OF AND ADJACENT TO 1423 E. 16TH STREET TO WEST BANK AS CONSERVATOR FOR THE NYALAT DAK CONSERVATORSHIP, THE NYAWAL DAK CONSERVATORSHIP, AND THE SHAMKUER DAK CONSERVATORSHIP, FOR \$25

WHEREAS, on January 4, 1961, by Roll Call No. 5, City Council approved and adopted Ordinance No. 6330 vacating all of the north/south alley right-of-way north of Cleveland Avenue and south of Washington Avenue between East 16th Street and McCormick Street including the portion thereof adjoining 1423 East 16th Street (“Property”), subject to the reservation of an easement for all utilities in place and reservation of right of entry for servicing same; and

WHEREAS, the Nyalat Dak Conservatorship, the Nyawal Dak Conservatorship, and the Shamkuer Dak Conservatorship collectively own 1423 East 16th Street adjoining said Property, and West Bank as Conservator and on behalf of each of said Conservatorships has offered to the City of Des Moines the purchase price of \$25.00 for the purchase of such Property, 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines, Iowa proposes to sell the portion of the vacated north/south alley right-of-way north of Cleveland Avenue and south of Washington Avenue between East 16th Street and McCormick Street adjoining 1423 East 16th Street, as more specifically described and to the grantees and for the consideration identified below, subject to reservation of easements therein:

To: West Bank as Conservator for the Nyalat Dak Conservatorship, and West Bank as Conservator for the Nyawal Dak Conservatorship, and West Bank as Conservator for the Shamkuer Dak Conservatorship

For: \$25.00

Legal Description:

THE WEST HALF OF THE VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT127, IN EAST CAPITAL PARK, AN OFFICIAL PLAT, (ALLEY VACATED BY ORDINANCE 6330), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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2. A public hearing shall be held on December 9, 2013 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.
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 Aleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

aw

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			

T. M. Franklin 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.

Diane Rauh City Clerk