

Date January 13, 2014

**SET HEARING FOR VACATION AND CONVEYANCE OF A SEGMENT OF
INGERSOLL AVENUE RIGHT-OF-WAY ADJOINING
525 17TH STREET TO ARTISAN ROW, LLC IN EXCHANGE FOR
A COMPARABLE PARCEL OF LAND ADJOINING 1623 GRAND AVENUE**

WHEREAS, on December 13, 2013, by Roll Call No. 13-1962, City Council received a recommendation from the City Plan and Zoning Commission regarding vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, which right-of-way is north of and adjacent to the real property locally known as 525 17th Street, more particularly described below (hereinafter "City Right-of-Way"); and

WHEREAS, Artisan Row, LLC is purchasing the property located at 525 17th Street and has requested that the City Right-of-Way be vacated and conveyed to Artisan Row, LLC in order for the parcel to be incorporated into 525 17th Street and proposed development thereon; and

WHEREAS, Artisan Row, LLC and the City of Des Moines have negotiated a Land Exchange Agreement whereby the City will vacate and convey the City Right-of-Way to Artisan Row, LLC, and in exchange will receive a comparable parcel of land located south of and adjoining the real property locally known as 1623 Grand Avenue (hereinafter "Grand Avenue Parcel"), which has been determined by the City's Real Estate Division to be comparable in value to the City Right-of-Way; and

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

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 an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street and north of and adjacent to 525 17th Street, legally described as follows:

Part of Lots 1 and 2 in Linden, an Official Plat; part of Lots 1, 2 and 3 in Block D of Subdivision of Lot No. 6 of the Pursley Estate, an Official Plat; and part of 16th Street and Ingersoll Avenue rights-of-way, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and being more particularly described as follows:

Beginning at the Northeast corner of Lot 1 in Block 46 of Lyon's Addition to Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; thence South 89°(degrees) 48'(minutes) 18"(seconds) West, 339.87 feet along the South lines of said Linden and Block D of Subdivision of Lot No. 6 of the Pursley Estate to its intersection with the present East right-of-way line of 17th Street; thence North 87°47'59" East, 330.90 feet; thence South 38°35'02" East, 14.77 feet to the point of beginning. Containing 1,968 square feet.

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines further proposes to convey such vacated City Right-of-Way, as legally described below, to Artisan Row, LLC, in exchange for conveyance by Artisan Row, LLC to the City of a comparable parcel of land located south of and adjoining the real property locally known as 1623 Grand Avenue:

★ **Roll Call Number**
14-0049

Agenda Item Number
26

Date January 13, 2014

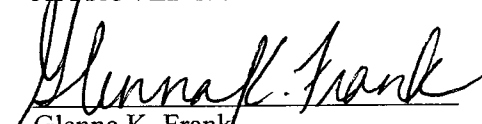
The vacated part of Lots 1 and 2 in Linden, an Official Plat; the vacated part of Lots 1, 2 and 3 in Block D of Subdivision of Lot No. 6 of the Pursley Estate, an Official Plat; and the vacated part of 16th Street and Ingersoll Avenue rights-of-way, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and being more particularly described as follows:

Beginning at the Northeast corner of Lot 1 in Block 46 of Lyon's Addition to Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; thence South 89°(degrees) 48'(minutes) 18"(seconds) West, 339.87 feet along the South lines of said Linden and Block D of Subdivision of Lot No. 6 of the Pursley Estate to its intersection with the present East right-of-way line of 17th Street; thence North 87°47'59" East, 330.90 feet; thence South 38°35'02" East, 14.77 feet to the point of beginning. Containing 1,968 square feet.

3. That a public hearing will be held on January 27, 2014, 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 proposals and any other(s) submitted prior to or during the public hearing.
4. That the City Clerk is hereby authorized and directed to publish notice of said proposals 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.

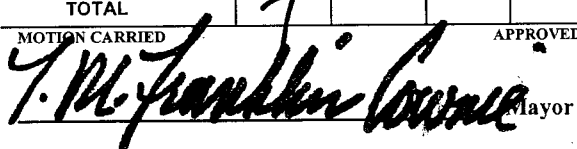
Moved by Hensley to adopt.

APPROVED AS TO FORM:


 Glenna K. Frank
 Assistant City Attorney

RSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			
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