



Roll Call Number

22-0877

Agenda Item Number

39

Date June 13, 2022

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED CITY ALLEY RIGHT-OF-WAY LOCATED WEST OF AND ADJOINING 1414 EAST 18th STREET TO SKYLER HARGIS AND ELIZABETH M. HARGIS FOR \$50.00

WHEREAS, on January 5, 1981, the City Council of the City of Des Moines, Iowa passed Ordinance No. 9873 vacating the north-south alley right-of-way in the block bounded by Kinsey Avenue on the north, Cleveland Avenue on the south, Stewart Street on the west, and East 18th Street on the east, including that portion located west of and adjoining 1414 East 18th Street, Des Moines, Iowa; and

WHEREAS, Skyler Hargis and Elizabeth M. Hargis, owners of 1414 East 18th Street, have offered to the City of Des Moines ("City") the purchase price of \$50.00 for the purchase of the vacated north/south alley right-of-way located west of and adjoining 1414 East 18th Street (hereinafter "Property"), for assemblage with 1414 East 18th 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 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 the vacated north/south alley right-of-way located west of and adjoining 1414 East 18th Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantees: Skyler Hargis and Elizabeth M. Hargis

Consideration: \$50.00

Legal Description: ALL OF THE VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 20, BLOCK 3, DE WOLFS ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 480 SQUARE FEET;

(VACATED BY ORDINANCE NO. 9,873)

- 2. A public hearing shall be held on June 27, 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.

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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 23, 2022 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

Please check the posted agenda in advance of the June 27, 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.

Moved by Gatto to adopt. Second by Voss.

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	6			1
MOTION CARRIED	APPROVED			

J. M. Frankhu Cowne Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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
 Laura Baumgartner, Acting City Clerk