

★ Roll Call Number

22-1795

Agenda Item Number

25

Date November 21, 2022

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PORTION OF VACATED SOUTHEAST 4TH STREET RIGHT-OF-WAY ADJOINING 403 SCOTT AVENUE AND 605 THROUGH 619 SOUTHEAST 4TH STREET TO ARTISTIC IRON PROPERTIES, L.C. FOR \$32,100

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 west of and adjoining 403 Scott Avenue and 605 through 619 SE 4th Street, Des Moines, Iowa, 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, Artistic Iron Properties, L.C. (“Buyer”), an Iowa limited liability company, owner of 403 Scott Avenue and 605 through 619 SE 4th Street, has offered to the City of Des Moines (“City”) the purchase price of \$32,100.00 for the purchase of the portion of vacated Southeast 4th Street right-of-way located west of and adjoining its property (hereinafter “Property”) for assemblage with 403 Scott Avenue and 605 through 619 SE 4th Street, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to a no-build easement which shall be included in the quit claim deed from the City to the Buyer, which price reflects the restricted 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 Southeast 4th Street right-of-way located west of and adjoining 403 Scott Avenue and 605 through 619 SE 4th Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein and further subject to the reservation of a no-build easement:

Grantee: Artistic Iron Properties, L.C.

Consideration: \$32,100.00

Legal Description:

PARCEL #2022-1164

ALL THAT PART OF VACATED SOUTHEAST 4TH STREET RIGHT OF WAY LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 12, BLOCK 80, TOWN OF DE MOINE, AN OFFICIAL PLAT, -EXCEPT PARCEL 2022-1164 AS SHOWN ON PLAT OF

★ Roll Call Number

22-1795

Agenda Item Number

25

Date November 21, 2022

SURVEY RECORDED IN BOOK 19315 PAGE 47 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.17 ACRES (7,584 SQUARE FEET).

2. A public hearing shall be held on December 12, 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 December 12, 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. Franke Cownie 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

Laura Baumgartner, City Clerk