



Roll Call Number

23-1080

Agenda Item Number

22

Date August 7, 2023

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF
VACATED ALLEY RIGHT-OF-WAY LOCATED NORTH OF AND ADJOINING
810 SHAW STREET TO ANTONIO RAMOS FOR \$50.00**

WHEREAS, on October 27, 1975, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 8995 vacating the east-west alley right-of-way located south of and adjoining Geoparcel No, 782410211002, including that portion lying north of and adjoining a part of 810 Shaw Street, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, on February 20, 2017, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 15,560 vacating the east-west alley right-of-way located south of and adjoining Geoparcel No, 782410213015, and that portion lying north of and adjoining a part of 810 Shaw Street, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, Antonio Ramos, owner of 810 Shaw Street, Des Moines, Iowa, has offered to the City of Des Moines (“City”) the purchase price of \$50.00 for the purchase of the portion of the vacated alley right-of-way lying north of and adjoining his property at 810 Shaw Street (hereinafter “Property”), for assemblage with 810 Shaw 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 alley right-of-way lying north of and adjoining 810 Shaw Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Antonio Ramos

Consideration: \$50.00

Legal Description: ALL OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOT 5, BLOCK 52, TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 900 SQUARE FEET.

2. A public hearing shall be held on August 21, 2023, 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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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 Boesen.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

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.

T.M. Frankin Cownie, Mayor

Laura Baumgartner, City Clerk