

Date January 22, 2024

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF VACATED ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 1321 EAST OAK PARK AVENUE TO BRADLEY MURRAY AND DANIELLE BROOME FOR \$25.00**

WHEREAS, on January 8, 2024, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 16,315 vacating a dead-end section of alley right-of-way located in the block bounded by E. Oak Park Avenue to the north, E. Ovid Avenue to the south and York Street to the east, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, Bradley Murray and Danielle Broome, the owners of 1321 E. Oak Park Avenue, Des Moines, Iowa, have offered to the City of Des Moines (“City”) the purchase price of \$25.00 for the purchase of the portion of vacated alley right-of-way located south of and adjoining 1321 E. Oak Park Avenue, for assemblage with their adjoining property, 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 located south of and adjoining 1321 E. Oak Park Avenue, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Bradley Murray and Danielle Broome

Consideration: \$25.00

Legal Description:

THE NORTH HALF (N 1/2) OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOT 25, MANN’S 2<sup>ND</sup> ADDITION TO HIGHLAND PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 350 SQUARE FEET.

2. A public hearing shall be held on February 5, 2024, 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.

★ Roll Call Number

24-0112

Agenda Item Number

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4. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by Gatto to adopt. Second by Coleman

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 BOESEN, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, 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.

Mayor signature line

Laura Baumgartner, City Clerk signature line