



Roll Call Number

15-0961

Agenda Item Number

58

Date June 8, 2015

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY ADJOINING 5908
CHAMBERLAIN DRIVE TO ANDREW P. LORENTZEN AND CLAUDIA P. LORENTZEN
FOR \$200.00**

WHEREAS, on January 29, 1968, by Roll Call 325, the City of Des Moines approved Ordinance No. 7596 vacating the right-of-way located east of and adjacent to 5908 Chamberlain Drive ("Property"), more particularly described below; and

WHEREAS, Andrew P. Lorentzen and Claudia P. Lorentzen own the real property known as 5908 Chamberlain Drive which adjoins the City-owned property, and have offered to the City of Des Moines the purchase price of \$200.00 for the purchase of such Property in order to incorporate it into their residential lot, which price reflects the fair market value of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, the City of Des Moines has no current or anticipated public need for the Property, and the City will not be inconvenienced by the sale and conveyance of said Property; and

WHEREAS, on May 18, 2015, by Roll Call No. 15-0811, it was duly resolved by the City Council that the proposed conveyance of the Property be set down for hearing on June 8, 2015, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey the Property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of excess City-owned real property, as described below, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the vacated right-of-way east of and adjacent to 5908 Chamberlain Drive, legally described as follows, to Andrew P. Lorentzen and Claudia P. Lorentzen for \$200.00, and said conveyance be and is hereby approved, subject to reservation of easements therein:

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THE NORTH ONE HUNDRED FIFTY-SEVEN (157) FEET OF LOT "B", ASHWORTH OAKS PLAT 4, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantees.
7. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

(Council Communication No. 15- 302)

Moved by Hensley to adopt.

APPROVED AS TO FORM:
Lisa A. Wieland
 Lisa A. Wieland, Assistant City Attorney

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

MOTION CARRIED 7 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