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**Date** ..... May 6, 2024 .....

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF  
CITY-OWNED PROPERTY LOCATED AT 3500 VANDALIA ROAD TO DES  
MOINES AREA REGIONAL TRANSIT AUTHORITY FOR \$3,860,000**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate locally known as 3500 Vandalia Road, Des Moines, Iowa, (hereinafter “Property”), more particularly described below; and

**WHEREAS**, on January 26, 1998, by Roll Call No. 98-275, the City Council adopted the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project encompassing an irregularly shaped area generally located between S.E. 14th Street and the eastern City boundary, and between Dean Avenue and the Des Moines River; and

**WHEREAS**, on June 17, 2002 by Roll Call No. 02-1591, the City Council of the City of Des Moines, Iowa, authorized the acquisition of all necessary property interests by gift, negotiation or condemnation for the Agrimergent Technology Park Project, including the properties that were combined to create 3500 Vandalia Road; and

**WHEREAS**, Des Moines Area Regional Transit Authority (hereinafter “DART”), has offered to the City of Des Moines, Iowa, the purchase price of \$3,860,000.00 for the purchase of the Property in order to redevelop said Property with the new DART Operations and Maintenance Facility, subject to a reservation of easements therein, which price reflects the fair market value of said Property as determined by an independent appraisal reviewed and approved by the City’s Real Estate Division; and

**WHEREAS**, closing on the sale of the Property is subject to the approval of the request to rezone the Property to I2 by the City Plan and Zoning Commission and City Council, and approval of a Site Plan by City Planning and Zoning and shall occur no more than 45 days after the Zoning approval; and

**WHEREAS**, there is no known current or future public need for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

**WHEREAS**, on April 15, 2024, by Roll Call No. 24-0578, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on May 6, 2024, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

**WHEREAS**, due notice of said proposal to convey the Property was given to all necessary parties 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.

Date May 6, 2024

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the excess City property locally known as 3500 Vandalia Road, Des Moines, Iowa, as described herein, 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 excess property locally known as 3500 Vandalia Road, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein and said conveyance is hereby approved:

Grantee: Des Moines Area Regional Transit Authority

Consideration: \$3,860,000.00

Legal Description: **-EXCEPT** EAST 20 FEET-, THE NORTH 229 FEET OF LOT 74, AND **-EXCEPT** EAST 20 FEET-, ALL OF LOTS 67 THROUGH 73, AND ALL OF LOTS 75 THROUGH 102, AND ALL OF VACATED LOTS "A" AND "B", AND **-EXCEPT** THE EAST 45 FEET-, ALL OF VACATED LOT "D", ALL IN VANDALIA ACRES PLAT NO.2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 37.7 ACRES (1,642,149 SQUARE FEET).

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 Quit Claim 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 Quit Claim 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 Quit Claim Deed and copies of the other documents to the grantee.



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7. The proceeds from this land sale shall be deposited into the Fiscal Year 2024 Operating Budget, Special Revenue and Other Funds, TIF Southeast Agricultural District, S370 ND408708.

**(Council Communication No. 24-198)**

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_.

APPROVED AS TO FORM:

/s/Mackenzie L. Moreno

Mackenzie L. Moreno, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

\_\_\_\_\_ City Clerk  
Laura Baumgartner