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Date December 6, 2010

HOLD HEARING FOR THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED IN THE 1900 BLOCK OF SCOTT AVENUE TO KEMIN HOLDINGS, L.C., FOR \$17,085.00

WHEREAS, the City of Des Moines is the owner of excess real property locally known as 519 SE 19th Street, as conveyed to the City on November 4, 1982, and also certain portions of alley and street right-of-way in the vicinity of the 1900 block of Scott Avenue as vacated by the City Council of the City of Des Moines on July 18, 1983 by Ordinance No. 10,343, all more particularly described below (collectively "Property"); and

WHEREAS, Kemin Holdings, L.C., is the owner of property abutting such City-owned Property and has offered to the City of Des Moines the purchase price of \$17,085.00 for the purchase of such Property for expansion and incorporation with its existing site, which purchase 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 of said Property; and

WHEREAS, on November 22, 2010, by Roll Call No. 10- 1929, it was duly resolved by the City Council that the proposed conveyance of said Property to Kemin Holdings, L.C. for \$17,085.00 be set down for hearing on December 6, 2010, at 5:00 p.m., in the Council Chamber; and

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

WHEREAS, in accordance with said notice, those interested in said 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, the objections to said proposed conveyance of excess City-owned property locally known as 519 SE 19th Street and portions of vacated alley and street right-of-way in the vicinity of the 1900 block of Scott Avenue, as legally described below, are hereby overruled and the hearing is closed.

2. The conveyance of the following described property to Kemin Holdings, L.C. for \$17,085.00 be and is hereby approved:

Lots 35 and 36 of CHARTER OAK ADDITION an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

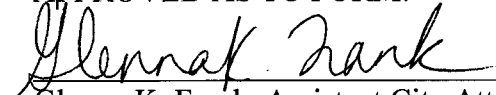
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All that part of the vacated North/South alley right-of-way lying east of and adjoining Lots 12 and 13, and all of the vacated North/South alley right-of-way lying east of and adjoining Lots 32 through 36 inclusive, and all of the vacated S.E. 19th Court right-of-way lying east of and adjoining Lots 29, 30, and 31, all in CHARTER OAK ADDITION, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Vacated by Ordinance No. 10,343, passed July 18, 1983.)

3. The Mayor is authorized and directed to sign the Offer to Purchase and the Quit Claim Deed for the conveyance 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 said 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 Quit Claim Deed and copies of the other documents to the grantee.
7. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, SP767, ENG980500.

(Council Communication No.) Moved by _____ to adopt.

APPROVED AS TO FORM:


Glenna K. Frank, Assistant City Attorney

(Council Communication No. 10-724)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

City Clerk