

Date November 7, 2011

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT FOR PROPERTY LOCATED AT 1323 EAST 25TH COURT AND SETTING HEARING FOR CONVEYANCE OF SAID PROPERTY TO DERRICK HUFFEY FOR \$6,000

WHEREAS, on January 24, 2011 by Roll Call No. 11-0138, the City of Des Moines approved an amendment to the First (2010) Year Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan; and

WHEREAS, the City has previously provided Community Development Block Grant (CDBG) funds from the above-mentioned Consolidated Plan to the Des Moines Independent Community School District for the East Side Remodeling Program, however said Program was combined with a Central Campus program and therefore eliminated by the School District in 2010; and

WHEREAS, the Des Moines Independent Community School District is the owner of real property locally known as 1323 East 25th Court, which had been included in the East Side Remodeling Program until the Program elimination; and

WHEREAS, Housing and Urban Development (HUD) requires said property be redeveloped for low-income housing due to the CDBG funding provided by the City of Des Moines through the HUD Consolidated Plan; and

WHEREAS, Des Moines Independent Community School District staff and City staff have negotiated terms whereby the real property locally known as 1323 East 25th Court will be conveyed at no cost by the School District to the City of Des Moines, and the City will transfer the property to a selected developer and administer redevelopment of the property through a development agreement; and

WHEREAS, on September 23, 2011, the City’s Community Development staff distributed an RFP to developers certified with the City’s Neighborhood Stabilization Program for redevelopment of the property located at 1323 East 25th Court, and the City’s selection committee reviewed the received proposals and selected Derrick Huffey as the developer for the proposed housing project; and

WHEREAS, pursuant to the selected bid, Derrick Huffey has offered to the City of Des Moines the purchase price of \$6,000 for the purchase of the real property locally known as 1323 East 25th Court, more specifically described below, subject to restrictive covenants to ensure compliance with CDBG requirements for rehabilitated homes and for occupancy by a low- or moderate-income homebuyer; and

WHEREAS, to complete this development, the City must first accept the real property from the Des Moines Independent Community School District, and there is no known current or future public need for the real 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, that:

1. The attached documents conveying property interests, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and by the Community Development Department, be and are hereby approved and accepted as follows:

- Property Owners: Des Moines Independent Community School District
- Property Location: 1323 East 25th Court, Des Moines, Iowa
- Document Type: Deed Without Warranty; Certificate
- Consideration: None

Date November 7, 2011

2. The City Clerk is hereby authorized and directed to endorse upon the Deed listed above the approval and acceptance of this Council, and to deliver the aforementioned documents to the Real Estate Division Manager for recording following review and approval of form by the Legal Department.

3. The City Council of the City of Des Moines, Iowa proposes to sell the real property locally known as 1323 East 25th Court, more specifically described and to the grantee and for the consideration identified below, subject to restrictive covenants to address CDBG requirements and in accordance with a negotiated development agreement:

To: Derrick Huffey

For: \$6,000

Lot 19 Richter's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

4. A public hearing shall be held on November 21, 2011 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.

5. 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.

6. The proceeds from the sale of this property shall be deposited into the following account: Special Revenue Funds Community Development Block Grants – SP020 CDD049900 2010-035.

(Council Communication No. 11- 691)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

POV

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

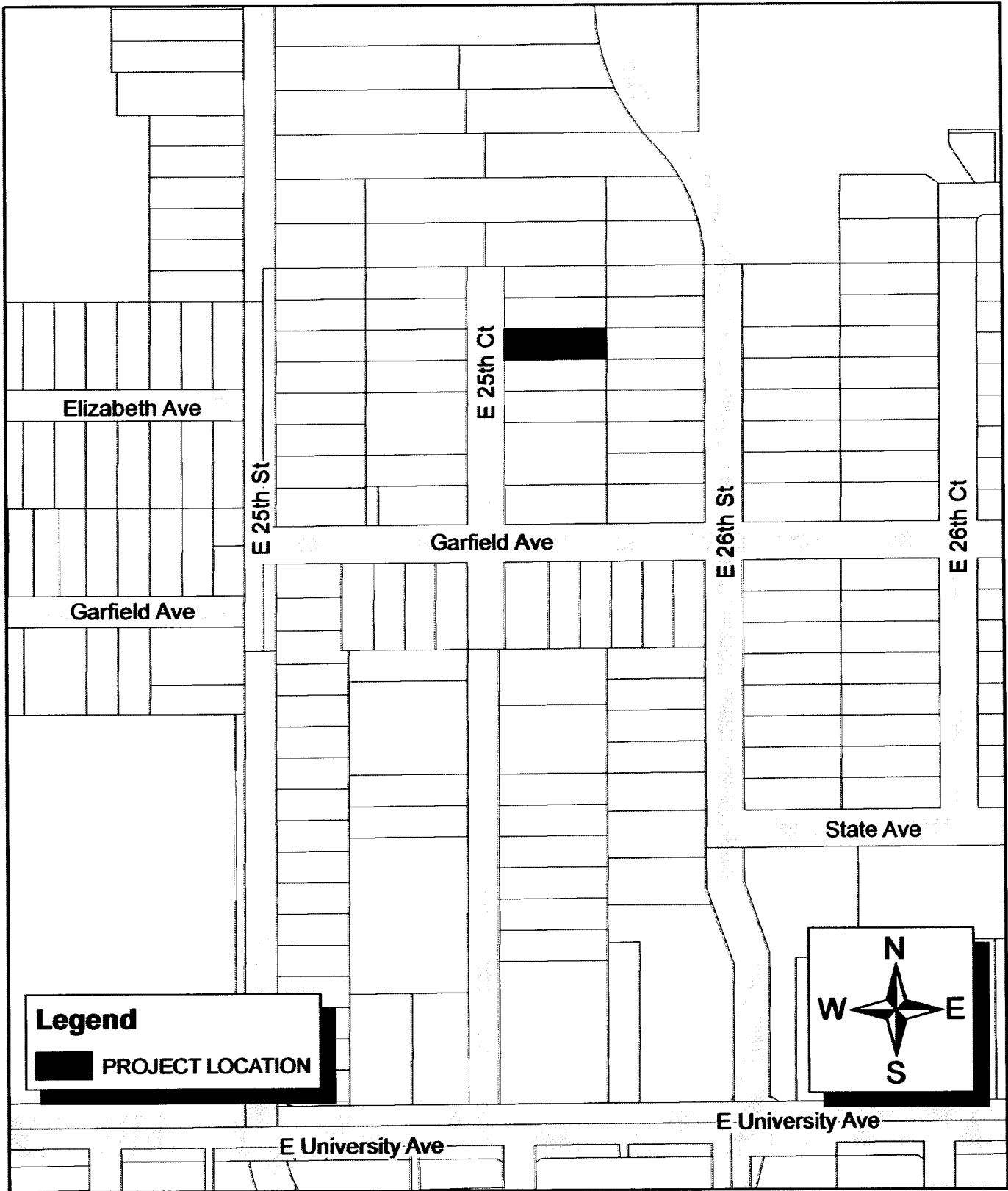
Mayor

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



ACQUISITION AND CONVEYANCE OF 1323 EAST 25TH COURT