

.....  
**Date** January 9, 2012

**RESOLUTION SETTING DATE OF HEARING FOR SALE OF CITY-OWNED PROPERTY  
AT 801 UNIVERSITY AVENUE (FORMER TOP VALUE GROCERY STORE)**

WHEREAS, the City owns property generally located at 801 University Avenue and such property has been formerly used as the Top Value grocery store and adjacent parking lot; and

WHEREAS, Des Moines Area Community College (DMACC) and CDT Investment, L.L.C., have offered to purchase such excess property for the purchase price of \$1,200,000.00 for a workforce center operated by DMACC and proposed retail development; and

WHEREAS, the proceeds from the sale of the property will be used by the City to repay the HUD Section 108 Loan for the original grocery store development; NOW, THEREFORE,

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

1. That the City of Des Moines proposes to sell the following described property at 801 University Avenue to Des Moines Area Community College and CDT Investment, L.L.C.:

Platted Lots:

All of Lots 38 through 43, Lots 50 through 55, Lots 84 through 89, and the North 20.0 feet of Lots 44, 49 and 90, in North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

West Half of 7th Street right-of-way

The West 1/2 of the following described portion of 7th Street right-of-way:  
All that part of 7th Street right-of-way lying East of and adjoining Lots 84, 85, 86, 87, 88, 89, and lying East of and adjoining the North 20.0 feet of Lot 90, all within North Park, an Official Plat, being more particularly described as follows: Beginning at the Northeast corner of said Lot 85; thence North 00° (Degrees) 24' (Minutes) 29" (Seconds) West along the East line of said Lot 84, a distance of 50.0 feet of the Northeast corner of said Lot 84; thence South 45° 15' 55" East a distance of 70.89 feet to the Northwest corner of Lot 8, Grand Park, an Official Plat; thence South 00° 24' 29" East along the West lines of Lots 8, 7, 6, 5, 4, and part of Lot 3, in said Grand Park a distance of 265.5 feet to a point 15.5 feet South of the Northwest corner of said Lot 3; thence South 84° 51' 15" West a distance of 50.17 feet to a point being on the East lot line and 20.0 feet South of the Northeast corner of Lot 90, in said North Park; thence North 00° 24' 29" West along the East lines of Lots 90, 89, 88, 87, 86, and 85, in said North Park, a distance of 269.89 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 14,623 square feet more or less.

**Date** January 9, 2012

North/South Alley right-of-way between 7th and 8th Streets

All of 14.0 foot North/South alley right-of-way lying East of and adjoining Lots 55, 54, 53, 52, 51, 50 and lying East of and adjoining the North 20.0 feet of Lot 49, in North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 0.0914 acres more or less.

8th Street right-of-way

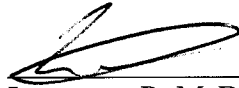
All that part of 8th Street right-of-way lying East of and adjoining Lots 38, 39, 40, 41, 42, 43 and the North 20.0 feet of Lot 44, North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 0.366 acres more or less.

2. That the meeting of the City Council at which a hearing on consideration of the sale and conveyance of such real estate shall be on January 23, 2012, said hearing to be held at 5:00 p.m. in the Council Chamber at City Hall.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form attached hereto at least four (4) and not more than twenty (20) days prior to the hearing, all in accordance with Iowa Code §362.3.

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

FORM APPROVED:



\_\_\_\_\_  
Lawrence R. McDowell  
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				

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