

Date June 25, 2012

**RESOLUTION DISMISSING PUBLIC HEARING FOR CONVEYANCE OF PROPERTY
LOCATED AT 1202, 1204 AND 1300 SCOTT AVENUE
TO MIDWEST AUTOMATIC FIRE SPRINKLER COMPANY FOR \$605,000**

WHEREAS, the City of Des Moines owns excess real property that is locally known as 1202, 1204, and 1300 Scott Avenue, more particularly described as follows (“Property”):

ALL OF BLOCK 15 IN ALLEN’S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, AND ALL THAT PART OF VACATED SOUTHEAST 13TH STREET RIGHT OF WAY, LYING BETWEEN THE SOUTH RIGHT OF WAY LINE OF ALLEN STREET AND NORTH RIGHT OF WAY LINE OF SCOTT AVENUE (VACATED BY ORDINANCE 7170), AND ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 21 IN SAID ALLEN’S ADDITON (EXCEPT THAT PART CONDEMNED BY THE CITY OF DES MOINES, SHOWN IN BOOK 1407 PAGE 327, RECORDER’S OFFICE, POLK COUNTY, IOWA), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and

WHEREAS, Midwest Automatic Fire Sprinkler Company had previously offered to the City of Des Moines the purchase price of \$605,000.00 for the purchase of such Property in order to relocate its business, and which price reflects the fair market value of the Property as currently estimated by the City’s Real Estate Division; and

WHEREAS, on May 7, 2012, by Roll Call No. 12-0688, it was duly resolved by the City Council that the proposed conveyance of said Property be set down for hearing on April 9, 2012, at 5:00 p.m., in the Council Chamber; and

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

WHEREAS, on May 21, 2012, by Roll Call No. 12-0838, the public hearing on said proposal was continued to the June 11, 2012 Council meeting as requested by Midwest Automatic Fire Sprinkler Company; and

WHEREAS, on June 11, 2012, by Roll Call No. 12-0924, the public hearing on said proposal was further continued to the June 25, 2012 Council meeting upon request by Midwest Automatic Fire Sprinkler Company; and

★ **Roll Call Number**

Agenda Item Number

57

Date June 25, 2012

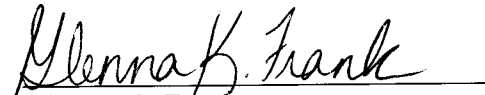
WHEREAS, Midwest Automatic Fire Sprinkler Company has decided to purchase a different property at the Guthrie Business Park for relocation of its business instead of purchasing the City-owned Property described above, and has rescinded its offer to purchase said City-owned Property.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts and because there is no agreement to be approved or denied, Council hereby dismisses the public hearing for conveyance of property locally known as 1202, 1204, and 1300 Scott Avenue, Des Moines.

Moved by _____ to adopt

APPROVED AS TO FORM:

(Council Communication No. *12-345*)


 Glenna K. Frank
 Assistant City Attorney

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

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.

 Mayor

 City Clerk