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Date..... December 9, 2013.....

APPROVING CONVEYANCE BY THE DES MOINES MUNICIPAL HOUSING AGENCY TO SAMANN LLC, STEVE SMITH, OWNER, FOR THE DISPOSITION SALE OF 1223 WADE STREET AND 3617 3RD STREET AT FAIR MARKET VALUE

WHEREAS, on August 19, 2003, the U.S. Department of Housing and Urban Development (HUD) approved the Des Moines Municipal Housing Agency's (DMMHA) application for disposition of 394 scattered site units; and

WHEREAS, pursuant to HUD approval, DMMHA may enter into offers to purchase with prospective buyers for the sale of specific properties for Fair Market Value; and

WHEREAS, Steve Smith, Owner, Samann LLC has made a request to purchase for Fair Market Value the properties locally known as 1223 Wade Street and 3617 3rd Street (herein, "Properties"); and

WHEREAS, following HUD approval of the proposed sale, an Offer to Buy Real Estate and Acceptance and a Declaration of Value and Groundwater Hazard Statement will be prepared by the Legal Department prior to closing on the Properties; and

WHEREAS, pursuant to Section 403A.3(9) of the Code of Iowa, the requirements of Iowa Code Section 364.7 do not apply to the City when exercising its municipal housing powers, including the power to convey property.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Housing Governing Board that:

1. Upon approval by HUD of the proposed terms of the above-described Fair Market Value sales, the Housing Director or designee and Legal Department are authorized and directed to prepare an Offer to Buy Real Estate and Acceptance, Deed, and other closing documents for the above-described sales.
2. The Mayor is authorized to execute the Offer, Deed, and related documents, and the City Clerk to attest to his signature, following preparation of the documents and final approval as to form of the Legal Department.
3. The City Manager or his designee is hereby authorized to execute other related document on behalf of DMMHA, subject to final approval of the documents by the Legal Department and execution of the documents by the buyer, and DMMHA staff are authorized to proceed to closing on the sale of the Properties.

★ Roll Call Number

Agenda Item Number

M.H.G.B. M-3

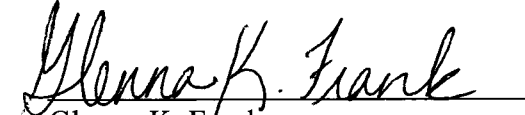
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BE IT FURTHER RESOLVED that, should the above-described property sales not be successfully concluded with Samann LLC and/or approved by HUD, the Properties shall be considered immediately available for other sale options pursuant to DMMHA's Housing Disposition plan.

(Board Communication No. 13-576)

APPROVED AS TO FORM:

Moved by _____ to approve.


Glenna K. Frank
Assistant City Attorney

M.H.G.B. ACTION	YEAS	NAVS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City of Des Moines, Municipal Housing Agency Governing Board, 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