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**Date** October 6, 2014

**APPROVAL OF ACQUISITION OF REAL PROPERTY AT 1201 CROCKER STREET AND HEARING FOR CONVEYANCE OF SAID PROPERTY TO 1201 CROCKER, LLC FOR \$160,000**

**WHEREAS**, on October 6, 2014, by Roll Call No. \_\_\_\_\_, the City of Des Moines Municipal Housing Agency Governing Board approved the sale of real property owned by the Municipal Housing Agency (DMMHA), locally known as 1201 Crocker Street ("Property") and which has been used for parking purposes associated with the Royal View Manor, to the City of Des Moines for \$160,000; and

**WHEREAS**, City staff have negotiated terms for conveyance of the Property from DMMHA to the City for the purchase price of \$160,000, which price reflects the fair market value of the Property as determined by an independent appraisal, to promote economic redevelopment thereon; and

**WHEREAS**, 1201 Crocker, LLC has offered to the City of Des Moines the purchase price of \$160,000 for the purchase of the Property for incorporation into the adjoining property for redevelopment of a multi-phase mixed use project starting with two retail buildings, which price reflects the fair market value of the Property as determined by an independent appraisal, and which offer is subject to the afore-mentioned approval by the Des Moines Municipal Housing Agency Governing Board of the sale of the Property from the DMMHA to the City and completion of said conveyance; and

**WHEREAS**, there is no known current or future public need or benefit for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property; and

**WHEREAS**, on September 22, 2014, by Roll Call No. 14-1462, it was duly resolved by the City Council that the proposed conveyance of said Property be set down for hearing on October 6, 2014, at 5:00 p.m., in the City Council Chambers; and

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

**WHEREAS**, in accordance with City Council direction, those interested in this 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, that:

1. The acquisition of the real property locally known as 1201 Crocker Street from the City of Des Moines Municipal Housing Agency for the purchase price of \$160,000.00 is hereby approved and said property is hereby accepted by the City; the City Manager and Real Estate Division Manager are authorized and directed to facilitate the closing on said purchase, and the Finance Department is authorized and directed to make payment for said purchase price and related closing costs; and the City Clerk is authorized and directed to sign acceptance on the deed conveying said property on behalf of the City.
2. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of real property locally known as 1201 Crocker Street, as legally described below, to 1201 Crocker LLC are hereby overruled and the hearing is closed.

Date October 6, 2014

3. There is no public need or benefit for the property described below and the public would not be inconvenienced by reason of the conveyance of the real property locally known as 1201 Crocker Street, and legally described as follows, to 1201 Crocker, LLC, for \$160,000, with closing subject to reservation of easements therein and subject to the City first closing on acquisition of the property from the DMMHA, and said sale and conveyance is hereby approved:

LOT 6, BLOCK 7, GRASS ROOTS 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

4. The Mayor is authorized and directed to sign the Offer to Purchase and the Quit Claim Deed for the conveyance to 1201 Crocker, LLC, as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.

5. Upon occurrence of the closing conditions set forth above and 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 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 following closing.

6. In accordance with the terms set forth in the Offer to Purchase with 1201 Crocker, LLC, the Real Estate Division Manager is authorized and directed to close on the sale and forward the original of the Deed to 1201 Crocker, LLC, 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 following closing.

7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantee.

(Council Communication No. 14-481)

APPROVED AS TO FORM:

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

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

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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