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Date October 10, 2016

**CONTINUANCE OF HEARING ON SALE OF EXCESS AIRPORT PROPERTY LOCATED NORTH OF AND ADJOINING MCKINLEY AVENUE AT SOUTHWEST 33<sup>RD</sup> STREET TO GLEN BROWN AND APRIL BARKLEY BROWN FOR \$120,000.00**

**WHEREAS**, the Des Moines Airport Authority Board has been approached by Glen Brown and April Barkley Brown, for the sale of excess City-owned real property located along McKinley Avenue at Southwest 33<sup>rd</sup> Street (“Property”), more particularly described herein, to allow them to develop a single family home; and

**WHEREAS**, Glen Brown and April Barkley Brown have offered the City of Des Moines \$120,000 for the purchase of the Property, subject to the terms and conditions contained in the Offer to Purchase Real Estate from the City of Des Moines and Acceptance, including easements for noise, avigation, and existing utilities, which price reflects the fair market value of the Property as determined by an independent appraisal; and

**WHEREAS**, on August 9, 2016, by Roll Call No. A16-047, the Des Moines Airport Authority Board voted to recommend that the City of Des Moines proceed with the sale of Property, which is currently leased to the Des Moines Airport Authority by the City of Des Moines; and

**WHEREAS**, on August 22, 2016, by Roll Call No. 16-1401, the City Council of the City Des Moines, Iowa voted to receive and file the Des Moines Airport Authority Board’s recommendation to proceed with the sale; and resolved that the proposed conveyance of the Property as well as the corresponding amendment the Real Estate Lease and Asset Transfer Agreement between the City of Des Moines, Iowa, and the Des Moines Airport Authority, dated November 1, 2011, to exclude the Property from said lease be set down for hearing on September 12, 2016, at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of the proposal was published as provided by law in the Des Moines Register, setting forth the time and place for hearing on the proposal; and

**WHEREAS**, there is no public need or benefit for the City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the excess City-owned real property located along McKinley Avenue at Southwest 33<sup>rd</sup> Street, Des Moines, Iowa, to Glen Brown and April Barkley Brown for \$120,000; and

**WHEREAS**, on September 12, 2016, by Roll Call No. 16-1568, the hearing on said proposal was continued to September 26, 2016, in order to allow the Federal Aviation Administration to complete its review of an updated appraisal for the proposed sale and obtain a written grant release of the Property; and

**WHEREAS**, on September 26, 2016, by Roll Call No. 16-1666, the hearing on said proposal was continued to October 10, 2016, in order to allow the Federal Aviation Administration to complete its

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review of an updated appraisal for the proposed sale and obtain a written grant release of the Property; and

**WHEREAS**, an additional continuance of the public hearing is needed until the Council meeting on November 21, 2016, in order to allow the Federal Aviation Administration to complete its review of an updated appraisal for the proposed sale and obtain a written grant release of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that the public hearing for vacation and conveyance of excess City-owned real property located along McKinley Avenue at Southwest 33<sup>rd</sup> Street Des Moines, Iowa, to Glen Brown and April Barkley Brown in consideration of \$120,000.00 as well as the proposed corresponding amendment the Real Estate Lease and Asset Transfer Agreement between the City of Des Moines, Iowa, and the Des Moines Airport Authority, dated November 1, 2011, to exclude the Property from said lease be and is hereby continued to November 21, 2016, at 5:00 p.m. in the City Council Chambers.

(Council Communication No. 16-584)

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

  
 Lisa A. Wieland,  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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