

Date March 6, 2017

SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY AT 3807 50TH STREET TO MATTHEW NOLAN FOR \$107,000.00

WHEREAS, on September 12, 2016, the City Council of the City of Des Moines authorized the City staff recommended voluntary acquisition of the real property located at 3807 50th Street, Des Moines, Iowa for the 2016 Sewer Repair – Contract 1 Project in order to enact the replacement of a storm sewer, remove a garage structure, and to establish a revised permanent easement across the property that prohibits the construction of any structures and allows the City the right to maintain, repair and replace the sewer in the future; and

WHEREAS, the storm sewer replacement work has been completed, the permanent easement across the property has been filed of record, and the City no longer has any use for the property; and

WHEREAS, Matthew Nolan (“Buyer”), has offered to the City of Des Moines the purchase price of \$107,000.00 for the purchase of the City-owned property located at 3807 50th Street, Des Moines, Iowa for continued use as a single family residence, subject to the City paying \$2,000 toward the Buyer’s closing costs, pre-pays and/or escrow payments, reservation of a Permanent Easement for Storm Sewer and Surface Water Flowage, a reservation of easements therein, and all other terms and provisions contained in the Offer to Purchase, which price reflects the fair market value of the Property as currently estimated by the City’s Real Estate Division; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines, Iowa proposes to sell the City-owned property located at 3807 50th Street, as legally described and to the grantee and for the consideration identified below, subject to the City paying \$2,000 toward the Buyer’s closing costs, pre-pays and/or escrow payments, reservation of a Permanent Easement for Storm Sewer and Surface Water Flowage, a reservation of easements therein, and all other terms and provisions contained in the Offer to Purchase:

To: Matthew Nolan

For: \$107,000.00

Legal Description: THE WEST 116 FEET OF LOT 7 IN SENG PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on March 20, 2017, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. At that

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time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.

3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

4. The proceeds from the sale of this property shall be deposited into the following account: 2016-17 CIP, Page Storm Water Improvements – 4, City-wide Storm Water Utility Projects, SM057.

Moved by _____ to adopt.

APPROVED AS TO FORM:



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

