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Date February 5, 2018

**SET HEARING FOR CONVEYANCE OF A PORTION OF
EXCESS CITY-OWNED PROPERTY LOCATED AT
915 COLLEGE AVENUE TO CFUM, LLC FOR \$97,174**

WHEREAS, the City of Des Moines, Iowa (“City”) is the owner of certain real estate located at the northwest corner of 9th Street and College Avenue, locally known as 915 College Avenue, Des Moines, Iowa (“Property”), more particularly described below; and

WHEREAS, CFUM, LLC (“Developer”), represented by Jake Christensen, has offered to the City of Des Moines, Iowa, the purchase price of \$97,174.00 for the purchase of said Property in order to construct a new facility to house Children and Family Urban Movement (“CFUM”), in substantial accordance with a site plan approved by the City of Des Moines, which price reflects the fair market value of said Property as determined by independent appraisal reviewed by the City’s Real Estate Division; and

WHEREAS, City staff and the Developer have determined that the purchase price should be subject to a closing credit for costs to be incurred by Developer for relocation of the Old Dowling Monument within the Property, with said credit being equal to an amount reflecting the lowest of up to three bids estimating the Buyer’s cost to perform the relocation work and not to exceed \$9,500.00 and

WHEREAS, the sale of said Property is further subject to the terms, conditions and special provisions contained in the Offer to Purchase Real Estate and Acceptance, including but not limited to: (1) a use restriction requiring the north 50 feet of the Property to be maintained as open green space or parking area; (2) reservation of the right by the City to purchase all or a portion of said north 50 feet of the Property at \$2.00 per square foot, and subject to the City’s reconfiguration of any then-existing parking lot on the Property to provide the same number of parking spaces at City’s cost; and (3) the covenant that Developer will relocate the Old Dowling Monument within the Property or to the current Dowling Catholic campus in West Des Moines, at Developer’s expense subject to the closing credit described above; 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 and conveyance 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 real property located at the northwest corner of 9th Street and College Avenue, locally known as 915 College Avenue, Des Moines, Iowa, and legally described below, to CFUM, LLC for \$97,174.00, subject to the terms stated above and contained in the Offer to Purchase Real Estate and Acceptance:

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Date February 5, 2018

PARCEL 2017-221

PART OF LOTS 2 AND 3 IN OLD DOWLING PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89°(DEGREES) 30'(MINUTES) 24"(SECONDS) WEST, 166.68 FEET ALONG THE SOUTH LINES OF SAID LOTS 2 AND 3; THENCE NORTH 00°00'00" EAST, 291.24 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE SOUTH 89°41'59" EAST, 166.67 FEET ALONG THE NORTH LINE OF SAID LOT 2 TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°00'00" WEST, 291.80 FEET ALONG THE EAST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING. CONTAINING 48,587 SQUARE FEET.

2. A public hearing shall be held on February 19, 2018, 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 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. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:

(Council Communication No. 18-044)



 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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