



Date October 8, 2018

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCALLY KNOWN AS 2025 EAST GRAND AVENUE TO CYPRESS PROPERTIES, LLC FOR \$60,000.00**

**WHEREAS**, on March 26, 2007, by Roll Call No. 07-544, the City Council of the City of Des Moines, Iowa, (“City”) voted to authorize the voluntary acquisition of real estate located at 2025 East Grand Avenue, Des Moines, Iowa (hereinafter “Property”) for the East Side Boxing Club, more particularly described below; and

**WHEREAS**, the East Side Boxing Club moved from 2025 East Grand Avenue in 2015, and relocated to the Pioneer Columbus Community Center; and

**WHEREAS**, the City’s Real Estate Division and Community Development Department have been marketing the Property for redevelopment since the Property became vacant in 2015, including sending out a request for proposals to area developers and non-profits groups; and

**WHEREAS**, City staff have determined that the highest and best use for the Property is for commercial use, as residential development was not feasible due to the Property’s location being in close proximity to railroad tracks and other surrounding commercial and industrial uses; and

**WHEREAS**, Cypress Properties, LLC, Santokh Nagra, as owner/member, has offered to the City of Des Moines, Iowa, the purchase price of \$60,000.00 for the purchase of said Property in order to re-develop the property for its real estate company’s office space, which price reflects the fair market value of said Property based on an independent appraisal obtained by the City’s Real Estate Division; and

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

**WHEREAS**, on September 24, 2018, by Roll Call No. 18-1579, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance of the Property be set down for hearing on October 8, 2018, at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of said proposal to convey the Property was given to all necessary parties 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 the 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:

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**Date** October 8, 2018

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance, as described below, are hereby overruled and the hearing is closed.

2. There is no public need or benefit for the excess City property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of certain real estate locally known as 2025 East Grand Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, and said conveyance be and is hereby approved, subject to a reservation of easements therein:

Grantee: Cypress Properties, LLC

Consideration: \$60,000.00

Legal Description:

Lots 6, 7, 8, 9 and 10 in Block 23 in Sunnyside Addition to the City of Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

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

4. Upon 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 Quit Claim 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.

5. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, 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 the documents to be recorded.

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

4. Non-project related land sale proceeds are used to support general operating budget expenses:  
Org – EG064090.



Roll Call Number

Agenda Item Number

41

Date October 8, 2018

(Council Communication No. 18- 497 )

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

APPROVED AS TO FORM:

*Lisa A. Wieland*

Lisa A. Wieland, 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