

Date ..... September 11, 2023 .....

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCATED SOUTH OF AND ADJOINING 2720 GARDEN ROAD TO HURD GARDEN, LLC FOR \$23,300**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate located on Southwest 28<sup>th</sup> Street south of and adjoining 2720 Garden Road and locally known as Geoparcels 7824-17-151-036, Des Moines, Iowa, (hereinafter “Property”), more particularly described below; and

**WHEREAS**, Hurd Garden, LLC, Richard Hurd, Manager, 5959 Village View Drive, Suite 200, West Des Moines, Iowa, has offered to the City of Des Moines, Iowa the purchase price of \$23,300.00 for the purchase of the Property in order to combine said Property with 2720 Garden Road for redevelopment purposes, subject to a reservation of easements therein, which price reflects the fair market value of said Property as determined 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.

**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 certain City of Des Moines real estate located on Southwest 28<sup>th</sup> Street south of and adjoining 2720 Garden Road and locally known as Geoparcels 7824-17-151-036, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Hurd Garden, LLC

Consideration: \$23,300.00

Legal Description: Part of Lots 35 and 36, Valley Gardens, an Official Plat, more particularly described as follows:

Commencing as a point of reference at the Northeast corner of said Lot 36; thence South 0° (degrees) 18' (minutes) 40" (seconds) West along the East line of said Lot 36, a distance of 100.00 feet to the Point of Beginning; thence continuing South 0°18'40" West along said East line, 83.82 feet; thence North 89°37'00" West, 119.79 feet to the West line of said Lot 35; thence North 0°21'59" East along said West Line, 71.89 feet; thence North 84°41'18" East, 120.30 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Above described area was deeded to the City of Des Moines in Book 7051 Page 202 and is shown on a Plat of Survey being on sheet 2 of Book 7041 Pages 787-788 at the Recorder’s office of Polk County, Iowa. Containing approximately 0.21 Acres (9,323 Square Feet).

2. A public hearing shall be held on October 2, 2023 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the

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above-described proposal and any other(s) submitted prior to or during the public hearing. Persons interested in the proposal will be given the opportunity to express their views at that 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. Second by \_\_\_\_\_

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno

Mackenzie L. Moreno, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS     | PASS | ABSENT |
|----------------|------|----------|------|--------|
| COWNIE         |      |          |      |        |
| BOESEN         |      |          |      |        |
| GATTO          |      |          |      |        |
| MANDELBAUM     |      |          |      |        |
| SHEUMAKER      |      |          |      |        |
| VOSS           |      |          |      |        |
| WESTERGAARD    |      |          |      |        |
| TOTAL          |      |          |      |        |
| MOTION CARRIED |      | APPROVED |      |        |

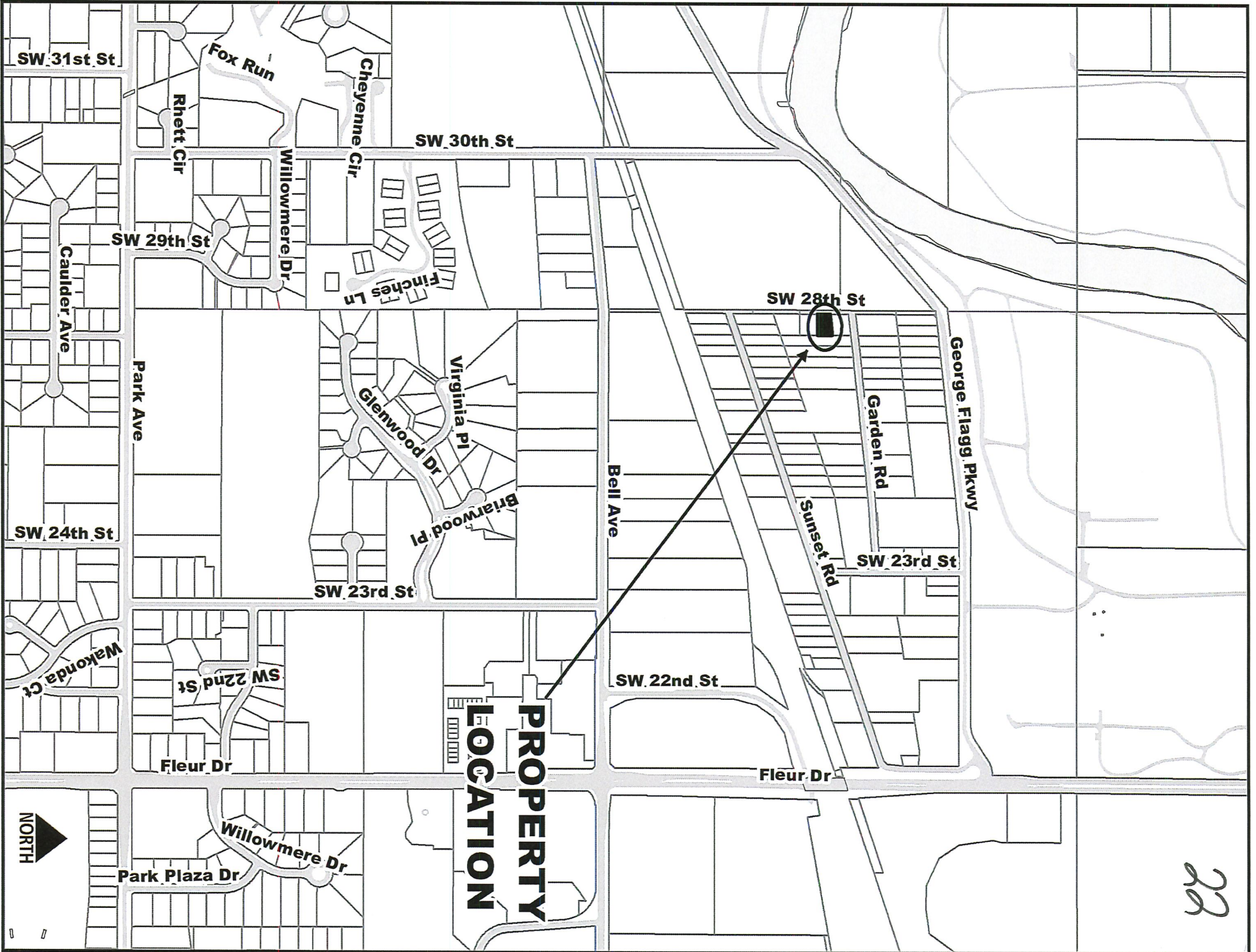
**CERTIFICATE**

I, **Laura Baumgartner, 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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Laura Baumgartner, City Clerk



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