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Date August 5, 2024

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM TY CAWLEY FOR VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 200 EUCLID AVENUE FOR \$500,000 AND AUTHORIZATION TO USE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR ACQUISITION AND STABILIZATION

WHEREAS, Ty Cawley owns property located at 200 Euclid Avenue and Geoparcel 7924-27-233-021, also known as 3520 2nd Avenue, Des Moines, Iowa (“Property”) and has offered to sell said property to the City of Des Moines; and

WHEREAS, 200 Euclid Avenue is a historic mixed-use building with retail space on the first floor and 12 upper-story housing units that are currently uninhabitable; and

WHEREAS, the City has an interest in acquiring the building to preserve a historic community asset and housing units; and

WHEREAS, on November 4, 2019, by Roll Call No. 19-1792, the City Council approved the 2020-2024 Consolidated Plan for the U.S. Department of Housing and Urban Development (HUD) Consolidated Plan; and

WHEREAS, one of the primary components of the 2020-2024 Consolidated Plan is to increase or preserve affordable housing units with Community Development Block Grant (CDBG) funds; and

WHEREAS, the use of CDBG funds to rehabilitate housing is an eligible activity if it meets the national objective of the CDBG Program by primarily benefitting low- or moderate-income residents; and

WHEREAS, if the City acquires the building, after rehabilitation, at least 51%, or at least seven units, will be affordable to households at or below 80% of the area median income (AMI) and rents will be less than or equal to Fair Market Rents for the Des Moines-West Des Moines, IA Metropolitan Statistical Area (MSA) as determined by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, City staff has negotiated a purchase price of \$500,000 for the voluntary acquisition of the Property, which is equal to the fair market value of the Property based on an independent appraisal.

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

1. That the following documents conveying a fee simple property interest to the City, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and on file in the office of the City Clerk, be and are hereby approved and accepted as follows:

Property Owner: Ty Cawley
Property Location: 200 Euclid Avenue and Geoparcel 7924-27-233-021, Des Moines, Iowa 50317
Document Type: Voluntary Offer to Purchase Real Estate and Acceptance

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Consideration: Warranty Deed
 \$500,000.00 Purchase Price

2. That the Finance Director is authorized and directed to issue checks to pay any costs certified by the Legal Department, the Engineering Department, and Neighborhood Services Department, and the Real Estate Division Manager is authorized and directed to obtain the checks, if any, needed to carry out this transaction and to deliver them to the payee(s);
3. That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department’s review and approval of all closing documents prior to closing;
4. That the City Clerk is hereby authorized and directed to endorse upon the Deed the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Offer and all necessary real estate documents associated with this acquisition; and the City Clerk is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager , who shall proceed to closing in accordance with standard real estate practices;
5. That the Neighborhood Services Director or his designee and the Procurement Division are authorized to solicit and award a General Contractor bid to stabilize the building, according to the requirements and specifications of the Neighborhood Inspections Division of Neighborhood Services; and
6. That CDBG funding for acquisition and stabilization costs is authorized if the environmental review is approved by HUD.

(Council Communication No. 24-320)

Moved by _____ to adopt.

Second by _____.

 **Roll Call Number**

Agenda Item Number

15

Date August 5, 2024

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno

Mackenzie L. Moreno, Assistant City Attorney

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr., Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

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