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Date August 5, 2024

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY
AT 1607 CLARK STREET TO WOODS BIBBIN COMPANY LLC FOR REDEVELOPMENT**

WHEREAS, the Property at 1607 Clark Street was identified as an adjacent, vacant lot to a property at 1603 Clark Street that was previously acquired by the City by tax sale deed and conveyed for rehabilitation through our Blighted Property Rehabilitation Program; and

WHEREAS, the Property at 1607 Clark Street has been identified by City staff and the rehabilitation partner as difficult to build upon, better used as a side yard, having a history of code violations, and heavily encumbered by special assessments; and

WHEREAS, on May 23, 2024, the City of Des Moines acquired 1607 Clark Street by quit claim deed; and

WHEREAS, on June 17, 2024, by Roll Call No. 24-0853, the City Council released all City liens and special assessments to encourage redevelopment; and

WHEREAS, if approved, the proposed conveyance by the City to Woods Bibbin Company LLC will be governed by and subject to approval of a development agreement between Woods Bibbin Company LLC and the City of Des Moines, which agreement will be submitted to City Council for consideration concurrently with the public hearing on the sale; 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; and

WHEREAS, on July 15, 2024, by Roll Call No. 24-0957, it was duly resolved by the City Council that the proposed conveyance of the property to Woods Bibbin Company LLC be set down for hearing on August 5, 2024, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of the proposal was published as provided by law in the Des Moines Register, setting forth the time and place for hearing on the proposal; and

WHEREAS, in accordance with City Council direction, those interested in this 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, that:

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



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2. There is no public need for the real property described below and the public would not be inconvenienced by reason of the conveyance of the property described below.
3. That the sale and conveyance of real property locally known locally known as 1607 Clark Street, Des Moines, Iowa, legally described below, to Woods Bibbin Company LLC in exchange for \$6,500 and in-kind consideration in the form of development of the property is hereby approved. The legal description of the property is as follows:

Lot Eleven (11), Warren Place, an official plat, all now included in and forming a part of City of Des Moines, Polk County, Iowa.
4. That the Agreement between the City of Des Moines and Woods Bibbin Company LLC for Acquisition and /Redevelopment of City Property, including the Offer to Purchase attached thereto, be and is hereby approved.
5. Following approval by the City’s Legal Department, the Mayor is authorized and directed to sign said Agreement, the Offer, 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 and to forward the original of the Offer, said Agreement, and 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.
6. Upon fulfillment of the conditions set forth herein above and in the acquisition agreement and Offer to Purchase, the Real Estate Division Manager is authorized and directed to close upon the sale of the above-described property to Woods Bibbin Company LLC and to forward the original 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 these documents to be recorded.
7. 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.
8. Non-project related proceeds shall be used to support redevelopment/rehabilitation expenses for costs associated with future properties acquired through tax sale certificate process: Neighborhood Services Department Budget Special Revenue, Nongrant NS046000 / 521035.



Roll Call Number

Agenda Item Number

39

Date August 5, 2024

(Council Communication No. 24-319)

Moved by _____ to adopt.

Second by _____.

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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

City Clerk