



Roll Call Number

Agenda Item Number

49

Date October 7, 2024

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF
EXCESS CITY PROPERTY LOCATED AT 3 EAST PORTER AVENUE
TO POLK COUNTY, IOWA**

WHEREAS, Polk County has received Federal Department of Treasury funds within the Emergency Rent Assistance Program (ERAP2). Within those funds, they are required to expend the large share through rent assistance and can withhold a percentage for the creation of affordable housing. To align with the recent Homelessness Gaps Analysis Study, Polk County is using the remaining funds to build 40 to 50 infill, single-family homes to increase services available to families experiencing homelessness and larger immigrant families struggling to secure affordable rentals. Polk County has a plan to fund and ensure case management and families that are a good fit to shift from a rental into a lease-to-purchase option; and

WHEREAS, Polk County has reached out to partnering cities to identify any excess property that would be appropriate for single-family home construction. The City-owned property at 3 East Porter Avenue has been identified by City staff as excess property that could pass an environmental review (required for use of Federal Funds) and be appropriate for new home construction; and

WHEREAS, the City proposes to convey 3 East Porter Avenue to Polk County, Iowa at no cost, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, for the public purpose of construction of single-family affordable housing; and

WHEREAS, there is no known current or future public need or benefit for the City Property proposed to be conveyed, and the City will not be inconvenienced by the conveyance of said Property; and

WHEREAS, on September 16, 2024, by Roll Call No. 24-1238, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on October 7, 2024, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; 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, as follows:



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47

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1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of City-owned property located at 3 East Porter Avenue, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the 3 East Porter Avenue, Des Moines, Iowa, as legally described, to Polk County, Iowa at no cost, subject to a reservation of easements therein, for the public purpose of construction of single family affordable housing, and said conveyance is hereby approved:

-EXCEPT THE WEST 5 FEET THEREOF-, LOT 36, SOUTHWICK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 6,345 SQUARE FEET.
3. The Mayor is authorized and directed to sign the 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. The City Manager is authorized to grant any temporary rights of entry for construction-related activities prior to closing.
5. 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.
6. 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 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. There will be no proceeds associated with the conveyance of this property.

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47

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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
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

