



Roll Call Number

Agenda Item Number

M.H.G.B.- 3

Date

**APPROVAL OF CONVEYANCE OF CITY-OWNED MUNICIPAL HOUSING AGENCY
PROPERTY 1373 IDAHO STREET
PURSUANT TO SECTION 32 HOMEOWNERSHIP PROGRAM**

WHEREAS, the City of Des Moines, as Municipal Housing Agency, is a participant in the Section 32 Homeownership Program, which was approved on August 16, 2023, by the United States Department of Housing and Urban Development (HUD) in which single family homes are sold to eligible residents; and

WHEREAS, the buyer previously approved is no longer eligible and a new buyer, Horace Cunningham, has applied for DMMHA's Section 32 Homeownership Program and staff have determined that Horace Cunningham meets all of the Municipal Housing Agency's Section 32 Homeownership Plan requirements, including loan approval, and is qualified for the program.

WHEREAS, the City of Des Moines Municipal Housing Agency will hold a promissory note and second mortgage against the Property in the amount of 33% of the sale price; and

WHEREAS, an Offer to Purchase Real Estate and Acceptance, a Promissory Note, a Mortgage, Disclosure of Information on Lead Based Paint and/or Lead Based Paint Hazards, a Special Warranty Deed and Restrictive Covenant will be prepared by Real Estate for this property; and

WHEREAS, pursuant to Section 403A.3(9) of the Code of Iowa, the requirements of Iowa Code Section 364.7 do not apply to the City when exercising its municipal housing powers.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the City of Des Moines, Iowa, Municipal Housing Agency, pursuant to its municipal housing powers set forth in Chapter 403A, Code of Iowa, that subject to final approval by the Legal Department of all closing documents, the Mayor is authorized to execute the Offer to Purchase Real Estate and Acceptance, and Special Warranty Deed, and the City Clerk to attest to her signature; and

BE IT FURTHER RESOLVED that the City Manager or his designee, the Housing Director, is hereby authorized to execute all other related documents on behalf of the City and Housing Agency, subject to final approval of the documents by the Legal Department and execution of the documents by the Buyers.

(Board Communication No. 26-028)

MOVED by _____ to adopt. Second by _____.

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APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

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

Mayor

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City of Des Moines, Municipal Housing Agency Governing Board, 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