

08-1288

★ Roll Call Number

Agenda Item Number

M.H.G.B. 9

Date July 28, 2008

**APPROVAL OF CONVEYANCE OF 325/327 SE PAYTON AVE.
CITY-OWNED MUNICIPAL HOUSING AGENCY PROPERTY**

WHEREAS, on August 19, 2003, the City of Des Moines, as Municipal Housing Agency, received approval from the United States Department of Housing and Urban Development (HUD) of the Housing Disposition Plan; and

WHEREAS, the property locally known as 325/327 SE Payton Ave. (Property) was offered for sale pursuant the procedures authorized by MHGB on October 6, 2003 by Roll Call 03-2267; and

WHEREAS, Steven Weber (Buyer) submitted the highest responsible bid in the amount of \$85,852.78 along with evidence of final loan approval; and

WHEREAS, an Offer to Buy Real Estate and Acceptance, a Special Warranty Deed, and Groundwater Hazard Statement have been prepared and are on file with the City Clerk as Exhibits "A1" through "A3" and by this reference made a part hereof; and

WHEREAS, pursuant to Section 403A.3(9) of the Code of Iowa, the requirements of Section 364.7 Iowa Code do not apply to the City when exercising it's 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 the attached Offer to Buy Real Estate and Acceptance, Special Warranty Deed and other closing documents, are hereby approved conveying title to the Property to the Buyer, and subject to final approval by the legal department of all documents the Mayor is authorized to execute the Special Warranty Deed, and the City Clerk to attest to his signature; and

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

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Mary A. Laughlin
Mary A. Laughlin
Assistant City Attorney

(Board Communication No. 08-450)

M.H.G.B. ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
NESBITT				✓
TOTAL	7			1

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh City Clerk

MOTION CARRIED APPROVED
T. M. Franklin Mayor