

★ Roll Call Number

08-175a

Agenda Item Number

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Dispositions – Hawthorne North Softball Field: Page 1

Date October 13, 2008

SET HEARING FOR THE CONVEYANCE OF CITY-OWNED PROPERTY LOCALLY KNOWN AS 1005 MAURY STREET, LOCATED ON THE SOUTH SIDE OF MAURY STREET BETWEEN SE 10TH AND SE 11TH STREETS, TO GREATER DES MOINES HABITAT FOR HUMANITY INC., FOR \$72,500

WHEREAS, on August 7, 2006, by Roll Call No. 06-1597, the City Council approved the vacation of public use in and conveyance of City-owned property locally known as 1005 Maury Street, located on the south side of Maury Street between SE 10th and SE 11th Streets to The Southern Rose LP, which conveyance and purchase agreement were subject to the buyer receiving Iowa Finance Authority Low Income Tax Credits in 2007 or 2008, with closing on the conveyance to occur by September 2008; and

WHEREAS, The Southern Rose LP has recently notified the City that it was unsuccessful in receiving such tax credits in 2007 or 2008, and thus the purchase agreement is no longer effective, pursuant to the terms of said agreement, due to the inability of the buyer to obtain tax credits as a condition precedent to the conveyance; and

WHEREAS, this property has been re-bid by prospective developers for redevelopment, and Greater Des Moines Habitat for Humanity Inc. has submitted the highest offer to purchase said parcel for \$72,500, for construction of single family homes for low-income working families.

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

1. That the City Council of the City of Des Moines shall consider the conveyance of such property, as described below to the grantee and for the consideration identified below:

To: Greater Des Moines Habitat for Humanity, Inc., for \$72,500.00

All of Lots 1 through 10, and the intervening North/South alley right-of-way in Block 5, Allen's Second Addition to Des Moines, an Official Plat; the East 10.0 feet of vacated Southeast 10th Street right-of-way lying West of and adjoining Lots 1 through 5 of said Block 5; and the West 10.0 feet of vacated Southeast 11th Street right-of-way lying East of and adjoining Lots 6 through 10 of said Block 5, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(North South Alley Vacated by Ordinance No. 5327, passed August 31, 1951.)
(Public Use of Hawthorne North Softball Field Vacated by Ordinance No. 14,581, passed September 11, 2006.)
(SE 10th and SE 11th Streets Vacated by Ordinance No.14, 597, passed October 23, 2006.)

2. That the meeting of the City Council at which the sale and conveyance of such real estate is to be considered shall be on October 27, 2008, said meeting to be held at 5:00 p.m., in the Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

James D. ...
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3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with the Iowa Code.

4. The proceeds from the sale of this property shall be deposited into the following: FUND - GE001, PROJECT- EN139, ORG - ENG 04700.

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, KIERNAN, HENSLEY, MAHAFFEY, MEYER, VLASSIS, TOTAL. Includes signature of T. M. Franklin, Mayor.

CERTIFICATE
I, DIANE RAUH, 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.
Diane Rauh City Clerk