

★ Roll Call Number

09-1722

Agenda Item Number

M.H.G.B. 2B

Date.....September 28, 2009.....

APPROVAL OF CONVEYANCE OF 1160 9TH ST. TO HOME, INC.

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, on November 24, 2008 by Roll Call 08-2202 the MHGB approved terms for a negotiated sale of the property locally known as 1160 9th St. (Property) to Home Opportunities Made Easy, Inc. (Buyer); and

WHEREAS, on July 7, 2009 the U.S. Department of Housing and Urban Development approved the negotiated sale; and

WHEREAS, an Offer to Buy Real Estate and Acceptance, a Special Warranty Deed with Restrictive Covenant 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 Buyer.

Moved by Vlassis to adopt.

APPROVED AS TO FORM:
Mary A. Laughlin
Mary A. Laughlin
Assistant City Attorney

(Board Communication No. 09-669)

M.H.G.B. ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			
<u>T. M. Henderson</u> Mayor				

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