

Date October 20, 2010

SET HEARING FOR CONVEYANCE OF EXCESS CITY-OWNED REAL PROPERTY SOUTH OF THE 1400 BLOCK OF MULBERRY STREET TO CENTRAL IOWA SHELTER & SERVICES FOR \$507,860.00

WHEREAS, on May 24, 2010, by Roll Call No. 10-856, the City Council of the City of Des Moines received a request by Central Iowa Shelter & Services (CISS), a homeless services provider, expressing CISS' interest in acquiring City-owned real property directly south of CISS' current location on Mulberry Street, and further received a resolution approved by the Homeless Coordinating Council recommending that the City of Des Moines work with CISS for the proposed development of a new shelter at the Mulberry Street location, and authorized and directed the City Manager to develop a proposal on CISS' request to acquire said City-owned real property and to return to Council for further action on said proposal; and

WHEREAS, CISS has offered the City of Des Moines the purchase price identified below for the purchase of said excess City-owned real property located south of the 1400 block of Mulberry Street as legally described below, which price reflects the fair market value of the property as determined by independent appraisal; and

WHEREAS, there is no known current or future public need for the property proposed to be sold and the City will not be inconvenienced by the sale of said property.

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

- 1. The City Council of the City of Des Moines, Iowa proposes to sell the following excess City-owned real property south of the 1400 block of Mulberry Street, more specifically described and for the consideration identified below:

To: Central Iowa Shelter & Services

For: \$507,860.00

Legal Description:

A PARCEL OF LAND SITUATED IN PART OF LOT 5 OF THE ORIGINAL PLAT OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN AND PART OF LOTS 2 AND 13 OF THE ORIGINAL PLAT OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND PART OF LOT 5 OF KEENE & POINDEXTER'S ORIGINAL PLAT, AND PART OF VACATED LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION, AND PART OF THE VACATED ALLEY LYING BETWEEN LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION, AND PART OF VACATED CHERRY STREET LYING SOUTH OF LOTS 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION, AND PART OF VACATED LOTS 5 AND 6 OF BLOCK 32 OF KEENE & POINDEXTER'S ADDITION, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION; THENCE SOUTH 74° (DEGREES) 10' (MINUTES) 15" (SECONDS) WEST, ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION, ON THE

★ Roll Call Number

10-1699

Agenda Item Number

3

Date October 20, 2010

NORTHWESTERLY LINE OF SAID LOT 1 AND THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 300.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°13'48" EAST, 347.00 FEET; THENCE SOUTH 74°10'15" WEST, 105.00 FEET; THENCE NORTH 76°23'32" WEST, 336.47 FEET; THENCE NORTH 15°13'48" WEST, 181.50 FEET TO THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET); THENCE NORTH 74°10'15" EAST ON THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 400.00 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 114,383 SQUARE FEET OR 2.63 ACRES.

- 2. A public hearing shall be held on October 25, 2010 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
4. The proceeds from the sale of this property shall be deposited into the following account: Parking System Improvements project - PKG028, EN054, ENG990000.

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

T.M. Franklin Council 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