



**Roll Call Number**

11-1863

**Agenda Item Number**

18

**Date** November 7, 2011

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT FOR PROPERTY LOCATED AT 1323 EAST 25<sup>TH</sup> COURT AND SETTING HEARING FOR CONVEYANCE OF SAID PROPERTY TO DERRICK HUFFEY FOR \$6,000**

**WHEREAS**, on January 24, 2011 by Roll Call No. 11-0138, the City of Des Moines approved an amendment to the First (2010) Year Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan; and

**WHEREAS**, the City has previously provided Community Development Block Grant (CDBG) funds from the above-mentioned Consolidated Plan to the Des Moines Independent Community School District for the East Side Remodeling Program, however said Program was combined with a Central Campus program and therefore eliminated by the School District in 2010; and

**WHEREAS**, the Des Moines Independent Community School District is the owner of real property locally known as 1323 East 25<sup>th</sup> Court, which had been included in the East Side Remodeling Program until the Program elimination; and

**WHEREAS**, Housing and Urban Development (HUD) requires said property be redeveloped for low-income housing due to the CDBG funding provided by the City of Des Moines through the HUD Consolidated Plan; and

**WHEREAS**, Des Moines Independent Community School District staff and City staff have negotiated terms whereby the real property locally known as 1323 East 25<sup>th</sup> Court will be conveyed at no cost by the School District to the City of Des Moines, and the City will transfer the property to a selected developer and administer redevelopment of the property through a development agreement; and

**WHEREAS**, on September 23, 2011, the City’s Community Development staff distributed an RFP to developers certified with the City’s Neighborhood Stabilization Program for redevelopment of the property located at 1323 East 25<sup>th</sup> Court, and the City’s selection committee reviewed the received proposals and selected Derrick Huffey as the developer for the proposed housing project; and

**WHEREAS**, pursuant to the selected bid, Derrick Huffey has offered to the City of Des Moines the purchase price of \$6,000 for the purchase of the real property locally known as 1323 East 25<sup>th</sup> Court, more specifically described below, subject to restrictive covenants to ensure compliance with CDBG requirements for rehabilitated homes and for occupancy by a low- or moderate-income homebuyer; and

**WHEREAS**, to complete this development, the City must first accept the real property from the Des Moines Independent Community School District, and there is no known current or future public need for the real 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 attached documents conveying property interests, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and by the Community Development Department, be and are hereby approved and accepted as follows:

Property Owners:	Des Moines Independent Community School District
Property Location:	1323 East 25 <sup>th</sup> Court, Des Moines, Iowa
Document Type:	Deed Without Warranty; Certificate
Consideration:	None

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2. The City Clerk is hereby authorized and directed to endorse upon the Deed listed above the approval and acceptance of this Council, and to deliver the aforementioned documents to the Real Estate Division Manager for recording following review and approval of form by the Legal Department.

3. The City Council of the City of Des Moines, Iowa proposes to sell the real property locally known as 1323 East 25<sup>th</sup> Court, more specifically described and to the grantee and for the consideration identified below, subject to restrictive covenants to address CDBG requirements and in accordance with a negotiated development agreement:

To: Derrick Huffey

For: \$6,000

Lot 19 Richter's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

4. A public hearing shall be held on November 21, 2011 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.

5. 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.

6. The proceeds from the sale of this property shall be deposited into the following account: Special Revenue Funds Community Development Block Grants – SP020 CDD049900 2010-035.

(Council Communication No. 11- 691)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

*pen*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

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