

★ Roll Call Number

11-1996

Agenda Item Number

45

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Date November 21, 2011

**APPROVING RESIDENTIAL DEVELOPMENT AGREEMENT AND HOLDING HEARING FOR CONVEYANCE OF 1323 EAST 25<sup>TH</sup> STREET TO DERRICK HUFFEY FOR \$6,000**

**WHEREAS**, on November 11, 2011, by Roll Call No. 11-1863, it was duly resolved by the City Council that the proposed conveyance of real property at 1323 East 25<sup>th</sup> Street, be set down for hearing on November 11, 7, 2011, at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of said proposal to convey this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with City Council direction, those interested in this proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed conveyance of this property as described below are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property at 1323 East 25<sup>th</sup> Street, more specifically described as follows:

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.
3. That the sale and conveyance of such real estate to Derrick Huffey for \$6,000 be and is hereby approved.
4. The Development Agreement on file in the Office of the City Clerk is hereby approved.
5. The Mayor is hereby authorized and directed to sign the Development Agreement and Quit Claim Deed on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the City.
6. The City Clerk is authorized and directed to forward the original of the Development Agreement and Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of

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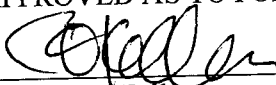
publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.

7. The Real Estate Division Manager is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
8. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantees.
9. The Community Development Director or his/her designees are hereby authorized and directed to administer the Development Agreement on behalf of the City and to monitor compliance by Developer with the terms and conditions of the Development Agreement and to forward to the City Council all matter and documents that require City Council review and approval in accordance with the Development Agreement.
10. The proceeds from the sale of this property will be deposited into the following account: Special Revenue Funds Community Development Block Grants – SP020 CDD049900 2010-035.

(Council Communication No. 11-699)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

  
 Michael F. Kelley,  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<u>T. M. Franklin</u> 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.

  
 \_\_\_\_\_ City Clerk