

★ Roll Call Number
11-2094

Agenda Item Number

M.H.G.B. -2

Date December 19, 2011

APPROVAL OF CONVEYANCE OF 3600/3602 SE 11TH STREET, 5910/5912 SW 12TH STREET, 5918/5920 SW 12TH STREET, 1170/1172 9TH STREET, 1176/1178 9TH STREET, 428/430 SE LEACH AVENUE, 343/345 SE CRESTON AVENUE, AND 922/924 SW EMMA AVENUE TO COMMUNITY HOUSING INITIATIVES, INC. (CHI)

WHEREAS, on August 19, 2003, the U.S. Department of Housing and Urban Development (HUD) approved the Des Moines Municipal Housing Agency's (DMMHA) application for disposition of 394 scattered site units; and

WHEREAS, on February 28, 2011, by Roll Call 11-0276, the Municipal Housing Governing Board (MHGB) approved terms for a negotiated sale of the properties locally known as 3600/3602 SE 11th Street, 5910/5912 SW 12th Street, 5918/5920 SW 12th Street, 1170/1172 9th Street, 1176/1178 9th Street, 428/430 SE Leach Avenue (a/k/a 428/430 E. Leach Avenue), 343/345 SE Creston Avenue (a/k/a 343/345 E. Creston Avenue), and 922/924 SW Emma Avenue (a/k/a 922/924 Emma Avenue)(herein collectively "Properties") to CHI (Buyer); and

WHEREAS, on April 8, 2011, 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, Declaration(s) of Value and Groundwater Hazard Statement(s) have been prepared and are on file with the City Clerk and by this reference made a part hereof; and

WHEREAS, pursuant to Section 403A.3(9) of the Code of Iowa, the requirements of Iowa Code Section 364.7 do not apply to the City when exercising its 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 Properties 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.

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, and DMMHA staff are authorized to proceed to closing on the sale of the Properties.

★ Roll Call Number
11-2094

Agenda Item Number

M.H.G.B. 2

Date December 19, 2011

(Council Communication No. 11-750)

Moved by Hensley to adopt.

Approved as to form:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

M.H.G.B. ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

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.

T. M. Franklin Council Mayor
 APPROVED

Diane Rauh City Clerk