



★ **Roll Call Number**

12-0127

Agenda Item Number

41

Date January 23, 2012

APPROVING CONVEYANCE OF CITY-OWNED PROPERTY AT 1512 13TH STREET TO HOME OPPORTUNITIES MADE EASY, INCORPORATED (HOME, INC.) FOR \$1.00

WHEREAS, on October 24, 2005 by Roll Call No. 05-2584, the City Council of the City of Des Moines adopted the Forest Avenue Urban Renewal Plan; and

WHEREAS, on September 11, 2006 by Roll Call No. 06-1810, the City Council of the City of Des Moines adopted the Amended Forest Avenue Urban Renewal Plan; and

WHEREAS, on October 22, 2007 by Roll Call No. 07-2020, the City Council of the City of Des Moines established fair market value and authorized voluntary acquisition for property located at 1512 13th Street for the Forest Avenue Urban Renewal Project; and

WHEREAS, on January 9, 2012, by Roll Call No. 12-0032, it was duly resolved by the City Council that the proposed conveyance of real property at 1512 13th Street, be set down for hearing on January 23, 2012, at 5:00 p.m., in the City Council Chambers and \$1.00 represents the fair market value of the property with consideration of the covenants and obligations assumed by HOME, Inc. for development of the property in accordance with the Urban Renewal Plan; and

WHEREAS, due notice of said proposal to convey this public real property was given as provided by law, setting for 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, that:

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 1512 13th Street, more specifically described as follows:

South 44 Feet Lots 1 &2 Block 2, LAYMAN'S THIRD ADDITION, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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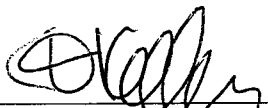
Date January 23, 2012

3. That the sale and conveyance of such property to HOME, Inc. for \$1.00 together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Special Warranty Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of the Special Warranty Deed, together with a certified copy of this resolution and of the affidavit of 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.
6. 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.
7. 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.

(City Council Communication No. 12- 028)

MOVED BY Griess TO ADOPT.

FORM APPROVED:



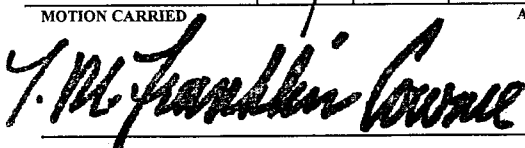
Michael F. Kelley
Assistant City Attorney

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

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.

MOTION CARRIED APPROVED


Mayor



City Clerk