



Roll Call Number

12-0339

Agenda Item Number

46

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Date February 27, 2012

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT
1443 12TH STREET 1529 13TH STREET TO
GREATER DES MOINES HABITAT FOR HUMANITY, INC. FOR \$13,500**

WHEREAS, on August 10, 2009, by Roll Call No. 09-1431, the City Council of the City of Des Moines approved the acquisition of real property locally known as 1443 12th Street and 1529 13th Street, more specifically described below, and found that the while such acquisition was consistent with and advanced the Forest Avenue Urban Renewal Plan, it was not undertaken in the exercise of the City's urban renewal powers under Iowa Code Chapter 403; and

WHEREAS, Greater Des Moines Habitat for Humanity, Inc. has offered to the City of Des Moines the total purchase price of \$13,500 for the purchase of such City-owned properties, which price reflects the fair market value of the properties as currently estimated by the City's Real Estate Division; 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; and

WHEREAS, on, February 13, 2012, by Roll Call No. 12-0185, it was duly resolved by the City Council that the proposed conveyance of real property locally known as 1443 12th Street and 1529 13th Street be set down for hearing on February 27, 2012, 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 these properties as described below are hereby overruled and the hearing is closed.
2. There is no public need for the property and the public would not be inconvenienced by reason of the conveyance of the property locally known as 1443 12th and 1529 13th Street and legally described below:

The South 18 feet of Lot 8 Summit Ridge Addition to North Des Moines and Lot 23 Block A of Albert Kryshers Addition to North Des Moines, Official Plats, all now included in and forming a part of the City of Des Moines, Polk County, Iowa
(locally known as 1443 12th Street); and

Lot 15 IDA A Shaws Sub Division, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.
(locally known as 1529 13th Street)

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3. That the sale and conveyance of such property to Greater Des Moines Habitat for Humanity, Inc. for \$13,500, 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 Offer to Purchase and Quit Claim Deeds 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 these Deeds, together with certified copies 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 execute an extension of the closing date on behalf of the City if needed, and to forward the original of the Deeds, together with certified copies 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 Deeds and copies of the other documents to the grantee.
8. The proceeds from the sale of this property will be deposited as follows: 2011/12 Operating Budget, Special Revenue Funds Page 70, CDBG2006018, SP020, CDD – King Irving Housing Con.

(Council Communication No. 12-078)

Moved by Griess to adopt.

APPROVED AS TO FORM:

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

COUNCIL 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 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

T. M. Franklin Mayor