

★ Roll Call Number

12-0453

Agenda Item Number

17

Date March 26, 2012

**SET HEARING FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY
LOCATED AT 812 INDIANA AVENUE TO SHAWN D. WAGNER FOR \$50**

WHEREAS, the City owns excess real property located at 812 Indiana Avenue, which was originally acquired as part of the Top Value grocery store project generally located at 801 University Avenue; and

WHEREAS, on January 23, 2012 by Roll Call 12-0112, the City approved the sale of the former grocery store site to Des Moines Area Community College (DMACC) and CDT Investment, L.L.C. for redevelopment of a workforce center and proposed retail development; and

WHEREAS, the property located at 812 Indiana Avenue was not needed for the redevelopment project undertaken by DMACC and CDT Investment, L.L.C.; and

WHEREAS, Shawn D. Wagner is the owner of property abutting said excess City-owned property and has offered to the City of Des Moines the purchase price of \$50.00 for the purchase of such City-owned property, more specifically described below, which price reflects the fair market value of the property as currently estimated by the City's Real Estate Division; and

WHEREAS, 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 City Council of the City of Des Moines, Iowa proposes to sell the following described real property locally known as 812 Indiana Avenue, more specifically described and for the consideration identified below:

To: Shawn D. Wagner

For: \$50.00

Legal Description: The East 31 feet of Lot 9, North Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. A public hearing regarding this proposal shall be held on April 9, 2012 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.
3. 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.

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- 4. The proceeds from the sale of this property shall be deposited into the following account:
Economic Development Enterprise Fund, SP743, CMO0980717, Page 56.

Moved by Hensley 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	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