

★ Roll Call Number

12-0688

Agenda Item Number

18

Date May 7, 2012

**SET HEARING FOR CONVEYANCE OF PROPERTY LOCATED AT 1202, 1204 AND 1300 SCOTT AVENUE TO MIDWEST AUTOMATIC FIRE SPRINKLER COMPANY FOR \$605,000**

**WHEREAS**, the City of Des Moines must acquire the current real property of Midwest Automatic Fire Sprinkler Company, locally known as 1823 Raccoon Street, Des Moines, for the Southeast Connector Project, which acquisition requires full relocation of the Midwest Automatic Fire Sprinkler Company business; and

**WHEREAS**, the City of Des Moines owns excess real property that is locally known as 1202, 1204, and 1300 Scott Avenue, more particularly described below (“Property”), which building is currently being used for storage and office administration by the Des Moines Fire Department; and

**WHEREAS**, Midwest Automatic Fire Sprinkler Company (“buyer”) has offered to the City of Des Moines the purchase price of \$605,000.00 for the purchase of such Property in order to relocate its business, which price reflects the fair market value of the Property as currently estimated by the City’s Real Estate Division; and

**WHEREAS**, said proposed offer is being negotiated subject to the stipulations that closing will occur simultaneously with closing on the City’s acquisition of 1823 Raccoon Street, and after the Fire Department has moved into the Fire Department Training and Logistics Facility; that the buyer will have access to the Property prior to closing for design and layout purposes; that the City will reimburse the buyer for costs of environmental analysis and asbestos study of the Property; that the City will remove the residential improvements located at 1204 Scott Street and install a stormwater drain system on the west side of the Property prior to closing, which drain system shall become the responsibility of buyer upon closing; and that the buyer may retain the granular surface of the truck entrance at 1300 Scott Street unless future changes to use, occupancy, or improvements upon the Property require site plan compliance; and

**WHEREAS**, the City of Des Moines has no current or anticipated public need for the Property 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 of Des Moines, Iowa proposes to convey the following described Property to Midwest Automatic Fire Sprinkler Company for \$605,000.00:

ALL OF BLOCK 15 IN ALLEN’S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT,  
AND ALL THAT PART OF VACATED SOUTHEAST 13<sup>TH</sup> STREET RIGHT OF WAY, LYING

★ Roll Call Number

12-01688

Agenda Item Number

18

Date May 7, 2012

BETWEEN THE SOUTH RIGHT OF WAY LINE OF ALLEN STREET AND NORTH RIGHT OF WAY LINE OF SCOTT AVENUE (VACATED BY ORDINANCE 7170), AND ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 21 IN SAID ALLEN'S ADDITON (EXCEPT THAT PART CONDEMNED BY THE CITY OF DES MOINES, SHOWN IN BOOK 1407 PAGE 327, RECORDER'S OFFICE, POLK COUNTY, IOWA), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

- 2. That the meeting of the City Council at which the sale and conveyance of the Property is to be considered shall be on May 21, 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 § 362.3 of the Iowa Code.
- 4. The proceeds from the sale of this property shall be deposited into the following account: Property Maintenance Endowment Fund, STR118, ENG990000.

Moved by Hensley to adopt .

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

*PSW*

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

MOTION CARRIED APPROVED  
Y. 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