

★Roll Call Number

12-1344

Agenda Item Number

17

Dispositions – St. Anthony's Page 1

Date August 27, 2012

**SET HEARING FOR THE CONVEYANCE BY INSTALLMENT CONTRACT OF THE CITY OWNED REAL ESTATE ADJOINING SW 1ST STREET, DUNHAM AVENUE AND INDIANOLA AVENUE, TO ST. ANTHONY'S CHURCH OF DES MOINES, POLK COUNTY, IOWA FOR \$20,000**

**WHEREAS**, St. Anthony's Church of Des Moines, Polk County, Iowa ("St. Anthony's") is the titleholder of real property locally known as 15 Indianola Road, and other adjoining land, which property abuts City-owned excess property adjoining SW 1<sup>st</sup> Street, Dunham Avenue, and Indianola Avenue, more specifically described below; and

**WHEREAS**, St. Anthony's has offered to the City of Des Moines the purchase price of \$20,000.00 for incorporation of said City-owned excess property into St. Anthony's adjoining property, which purchase price reflects the fair market value of the City property as currently estimated by the City's Real Estate Division; and

**WHEREAS**, St. Anthony's proposed use of the property is consistent with the Two (2) Rivers District Land Use & Redevelopment Plan for the area; and

**WHEREAS**, City Real Estate Division staff and St. Anthony's have negotiated the terms of a real estate purchase installment contract for the proposed conveyance, which terms include purchase price of \$20,000.00 plus interest per annum, with down payment of \$2000.00, and annual installment payments thereafter through October 2022; and

**WHEREAS**, there is no known current or future public need for the City-owned excess 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, as follows:

1. The City of Des Moines, Iowa proposes to sell the City-owned excess property adjoining SW 1<sup>st</sup> Street, Dunham Avenue, and Indianola Avenue, legally described below, to St. Anthony's Church of Des Moines, Polk County, Iowa for \$20,000.00 plus interest pursuant to installment contract:

(PARCEL "A" IN LOTS 1 AND 2, BLOCK 11, VAN'S ADDITION TO SOUTH DES MOINES, OFFICIAL PLAT AS RECORDED IN BOOK 10252 PAGE 873 NOVEMBER 5, 2003 IN THE RECORDERS OFFICE OF POLK COUNTY, IOWA).

PART OF LOTS 1, AND 2, BLOCK 11, VAN'S ADDITION TO SOUTH DES MOINES, AN OFFICIAL PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 18° (DEGREES) 51' (MINUTES) 24" (SECONDS) EAST ALONG THE WEST LINE OF SAID LOTS 2, AND 1 TO THE NORTH LINE OF

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SAID LOT 1, A DISTANCE OF 132.03 FEET; THENCE SOUTH 72° 19' 37" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 37.23 FEET; THENCE SOUTH 15° 48' 23" EAST TO THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 159.19 FEET; THENCE NORTH 71° 58' 52" WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 127.77 FEET TO THE POINT OF BEGINNING. AS SURVEYED AND MONUMENTED IN THE FIELD BY MICHAEL M. KLAPP LICENSED SURVEYOR NO. 4821. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. BY SURVEY 10,906.1 SQUARE FEET.

2. That the meeting of the City Council at which the sale and conveyance of such real estate by installment contract is to be considered shall be on September 10, 2012, said meeting to be held at 5:00 p.m., in the Council Chamber.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal 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, SP767, ENG980500.

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL. Includes checkboxes for MOTION CARRIED and 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