

★ Roll Call Number
13-0525

Agenda Item Number

M.H.G.B.-4

Date April 8, 2013

APPROVING CONVEYANCE BY THE
CITY OF DES MOINES, MUNICIPAL HOUSING AGENCY TO
MARLON MORMANN FOR THE DISPOSITION SALE OF
1525/1527 E. 33RD STREET, DES MOINES, IOWA FOR \$28,007

WHEREAS, on August 19, 2003, the U.S. Department of Housing and Urban Development (HUD) approved the Des Moines Municipal Housing Agency's (DMMHA) application for disposition of 394 scattered site units; and

WHEREAS, on November 8, 2010, by Roll Call No. 10-1811, the City of Des Moines, Municipal Housing Governing Board, approved a Replacement Housing Factor Fund proposal and directed said proposal to be submitted to United States Department of Housing and Urban Development (HUD) for consideration, and further recommended that the DMMHA Agency Plan be amended to reflect the planned changes and charged the Housing Services Director to implement the plan; and

WHEREAS, the Replacement Housing Factor Fund proposal included the recommendation that the real property locally known as 1525/1527 E. 33rd Street, Des Moines ("Property"), and owned by the City of Des Moines, as Municipal Housing Agency, be demolished and redeveloped; and

WHEREAS, on March 7, 2012, the Property was offered by DMMHA for sale by public bid, with minimum bid amount including the appraised value of the Property as well as the demolition costs incurred by DMMHA upon the Property, pursuant to the procedures authorized by MHGB; and

WHEREAS, adjoining property owner Marlon Mormann ("Buyer") submitted the highest responsive bid in the amount of \$28,007.00, which bid exceeded the minimum bid amount; and

WHEREAS, on February 20, 2013, the City of Des Moines, as Municipal Housing Agency, received approval from HUD of the proposed sale of the Property to the highest bidder for the bid amount identified above; and

WHEREAS, an Offer to Buy Real Estate and Acceptance, a Special Warranty Deed, and Groundwater Hazard Statement have been prepared for the Property; and

WHEREAS, pursuant to Section 403A.3(9) of the Code of Iowa, the requirements of Section 364.7 of said Code do not apply to the City when exercising its municipal housing powers for the sale of real property.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Housing Governing Board of the City of Des Moines, Municipal Housing Agency, pursuant to its municipal housing powers set forth in Iowa Code Chapter 403A, that the Offer to Buy Real Estate and Acceptance, Special Warranty Deed, and other closing documents are hereby approved conveying title to the Property to the Buyer, and subject to final approval by the Legal Department of all documents, the Mayor is authorized to execute the Special Warranty Deed, and the City Clerk to attest to his signature and to return the original documents along with a certified copy of this resolution to the Legal Department.

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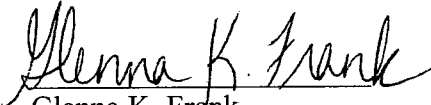
BE IT FURTHER RESOLVED that the City Manager or his designee is hereby authorized to execute all other related documents on behalf of the City, subject to final approval of the documents by the Legal Department and execution of the documents by the purchaser.

BE IT FURTHER RESOLVED that staff is directed to proceed to closing on both properties in accordance with normal real estate practices.

(Board Communication No. 13-181)

Moved by Coleman to adopt.

Approved as to form:

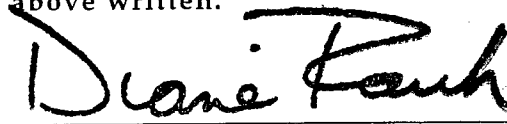

 Glenna K. Frank
 Assistant City Attorney

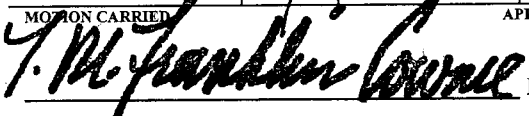
M.H.G.B. ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City of Des Moines, Municipal Housing Agency Governing Board, 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.


 _____ City Clerk

MOTION CARRIED APPROVED

 T. M. Franklin Mayor