

★ **Roll Call Number**

13-0893

Agenda Item Number

17

Date June 10, 2013

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT
1220 CRESTON AVENUE TO THIRD L.L.C. FOR \$200**

WHEREAS, on August 23, 2010, by Roll Call No. 10-1364, City Council authorized voluntary acquisition of property located at 1220 Creston Avenue ("Property"), as legally described below, for the Creston Avenue Storm Water Improvements Project; and

WHEREAS, Third L.L.C. is the owner of 1216 Creston Avenue adjoining said Property, and has offered to the City of Des Moines the purchase price of \$200 for the purchase of a fee simple interest in the Property, which conveyance will be subject to a storm sewer and surface water flowage easement across the entire property and a covenant regarding construction of accessory structures or fences upon the Property, and which price reflects the restricted 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 Property proposed to be sold and the City will not be inconvenienced by the sale of said Property, subject to reservation of easements as set forth herein.

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 excess City-owned property located at 1220 Creston Avenue, more specifically described as follows, to Third L.L.C. for \$200, subject to reservation of a storm sewer and surface water flowage easement across the entire property and the land use covenant described herein:

LOT 96 AND THE EAST 10 FEET OF LOT 95, ROSEBUD, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on June 24, 2013, 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.

4. The proceeds from the sale of this property shall be deposited into the following account: 2013-14 CIP, Storm Water Improvements, City-wide Storm Water Utility Projects, STE057, Page – Storm Water Improvements – 4.

★ Roll Call Number
130893

Agenda Item Number
17

Date June 10, 2013

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	✓			
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 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.

T. M. Franklin Cownie Mayor

Diane Rauh City Clerk