

★ Roll Call Number

13-1312

Agenda Item Number

8A

Date August 26, 2013

**SET HEARING FOR CONVEYANCE OF PROPERTY LOCATED AT
1349 WASHINGTON AVENUE TO NFC PROPERTIES, LLC FOR \$18,000**

WHEREAS, the Des Moines Independent Community School District (“School District”) is the owner of real property located at 1349 Washington Avenue (“Property”); and

WHEREAS, on August 26, 2103, by Roll Call No. 13- 1311, the City Council approved the acceptance of real estate documents from the School District for the Property; and

WHEREAS, City staff distributed a Request for Proposal (“RFP”) to developers certified with the City’s Neighborhood Stabilization Program for redevelopment of the Property, with NFC Properties, LLC (“NFC”) being the only respondent; and

WHEREAS, pursuant to the RFP, NFC has offered to the City \$18,000 for the purchase of the real Property, subject to restrictive covenants to ensure compliance with CDBG requirements; and

WHEREAS, if approved, the proposed conveyance of the Property by the City to NFC will be subject to the following: (1) Closing on the Property with the School District; (2) closing with NFC will occur immediately upon and following closing with the School District; (3) certain terms and conditions between the City and NFC, including acceptance of the Property “as-is, where-is” without warranty as to condition or title and release of claims related to the Property, which will be included in a development agreement between the City and NFC approved by City Council.

WHEREAS, there is no known current or future public need or benefit for the Property to be sold, and the City will not be inconvenienced by the sale of the Property subject to the terms and conditions set forth herein.

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 real property located at 1349 Washington Avenue, Des Moines, legally described as follows, to NFC Properties LLC for \$18,000 and with closing subject to the terms and conditions set forth above herein:

Lot 12 Ingle-Wold, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. A public hearing will be held on September 9, 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.

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3. The City Clerk is hereby authorized and directed to publish notice of the 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: 2010-DMPS-Home Remodeling Project, CDB03510, 527700.

(Council Communication No. 13-445)

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Michael F. Kelley
 Michael F. Kelley,
 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
 T. M. Franklin
 Mayor

Diane Rauh
 Diane Rauh
 City Clerk