



Roll Call Number

14-0950

Agenda Item Number

22

Date June 23, 2014

SET HEARING FOR SALE OF CITY-OWNED PROPERTY IN THE VICINITY OF SE 6TH STREET AND SHAW STREET TO HANSEN REAL ESTATE SERVICES, INC.

WHEREAS, Hansen Real Estate Services, Inc. is proposing development of approximately 100-120 market-rate dwelling units within multiple structures on City-owned and Des Metropolitan Wastewater Reclamation Authority (WRA)-owned real property located north of the Des Moines River, west of SE 6th Street and south of Shaw Street in downtown Des Moines; and

WHEREAS, the requested City-owned property includes a portion of the property vacated by Ordinance No. 15,285, approved on May 19, 2014 by Roll Call No. 14-0788, excluding the area thereof dedicated as parkland for relocation of Allen Park, and said property is not anticipated to be needed by the City for any other current or planned public improvements; and

WHEREAS, on May 19, 2014, by Roll Call No. 14-0759, City Council received and filed the communication from Hansen Real Estate Services, Inc. regarding the above-referenced development proposal and requested that the proposed sale of said City-owned property be referred to the City Manager to coordinate appraisal services and negotiations for the sale and redevelopment of this area, to obtain Urban Design Review Board review and WRA input; and

WHEREAS, Hansen Real Estate Services, Inc., has offered to the City of Des Moines the purchase price of \$3.30 per square foot for the purchase of all or a portion of City-owned property located north of the Des Moines River, west of SE 6th Street and south of Shaw Street in downtown Des Moines, which price reflects the fair market value of said property as determined by an independent appraisal; and

WHEREAS, the proposed redevelopment requires rezoning of the property, which must first be considered by the City of Des Moines Plan and Zoning Commission and this Council; and

WHEREAS, there is no known current or future public need for the City-owned 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, that:

1. The City Council of the City of Des Moines, Iowa, proposes to sell all or a portion of the City-owned real property located north of the Des Moines River, west of SE 6th Street and south of Shaw Street in downtown Des Moines, and legally described as follows, to Hansen Real Estate Services, Inc. for \$3.30 per square foot, with closing subject to the buyer confirming project financing and to review by the City's Urban Design Review Board and Plan and Zoning Commission:

A PART OF TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:



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BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SHAW STREET AND THE WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET; THENCE SOUTHEASTERY ALONG SAID EAST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY LINE OF MAURY STREET; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT OF WAY LINE TO THE NORTHEASTERLY LINE OF THE DES MOINE RIVER LEVEE; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHAW STREET; THENCE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 56 IN SAID TOWN OF DE MOINE; THENCE SOUTH ALONG A STRAIGHT LINE TO THE NORTHWEST CORNER OF LOT 10, BLOCK 57 IN SAID TOWN OF DE MOINE, SAID CORNER ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF SAID SHAW STREET; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO POINT OF BEGINNING,

EXCEPT LOTS 2, 3, 4, 6, 7, 8, 9, 10 AND NORTH 30.00 FEET OF LOT 5, BLOCK 58, OF SAID TOWN OF DE MOINE AND,

EXCEPT ALL THAT PART OF LOTS 6, 7 AND 8, BLOCK 57, OF SAID TOWN OF DE MOINE, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AS A POINT OF REFERENCE AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 14° (DEGREES) 49' (MINUTES) 03" (SECONDS) EAST, ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 18.64 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 65°19'02" EAST, 194.39 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6, SAID POINT BEING NORTH 14°49'03" WEST, 25.00 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 6, AND BEING THE TERMINUS OF THE LINE, AS SURVEYED AND MONUMENTED IN THE FIELD BY ELMER L. MILLER, JR., LICENSED SURVEYOR NO. 13975.

2. A public hearing shall be held on July 14, 2014, 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 City Manager or his designee is authorized and directed to sign the City's consent on the application by Hansen Real Estate Services, Inc. for rezoning of the property, to be submitted to the City of Des Moines Plan and Zoning Commission and this Council.
5. The Real Estate Division Manager is directed to determine and/or review the total purchase price and final legal description for the property to be conveyed, after the property has been surveyed and prior to the public hearing.

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Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO				✓
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	5			2

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.

MOTION CARRIED APPROVED
T. M. Franklin Mayor

Diane Fauh City Clerk