



Roll Call Number

16-0425

Agenda Item Number

55

Date March 7, 2016

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT
226 EAST HOLCOMB AVENUE TO GREATER DES MOINES HABITAT FOR
HUMANITY, INC. FOR \$4,500**

WHEREAS, on November 8, 1993, by Roll Call No. 93-4183, the City of Des Moines, Iowa, ("City") approved the acquisition of the east 20 feet of Lot 11 and the west 20 feet of Lot 12, Block 1, Old Orchard Beach, locally known as 226 East Holcomb Avenue, the conveyance of which was filed of record on January 21, 1994 in Book 6950, Page 413 in the office of the Polk County Recorder; and

WHEREAS, Greater Des Moines Habitat for Humanity, Inc., an Iowa non-profit corporation, has offered to the City, the purchase price of \$4,500.00 for the purchase of 226 East Holcomb Avenue, as legally described below (hereinafter "Property"), for construction of new residential housing, which price reflects the fair market value of said Property as currently estimated by the City's Real Estate Division; and

WHEREAS, the City has no current or future public need for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

WHEREAS, on February 22, 2016, by Roll Call No. 16-0274, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance of the Property be set down for hearing on March 7, 2016, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey the Property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the Property, as described below, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the Property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of 226 East Holcomb Avenue, legally described as follows, to Greater Des Moines Habitat for Humanity, Inc. for \$4,500.00, and said conveyance be and is hereby approved, subject to a reservation of easements therein:



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THE EAST 20 FEET OF LOT 11 AND THE WEST 20 FEET OF LOT 12, ALL IN BLOCK 1 OF OLD ORCHARD BEACH, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Deed and copies of the other documents to the grantees.
7. Non-project related land sale proceeds are used to support general operating budget expenses:
Org – EG064090.



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(Council Communication No. 16-119)

Moved by Westergaard to adopt.

APPROVED AS TO FORM:

[Signature of Lisa A. Wieland]

Lisa A. Wieland, Assistant City Attorney

RCW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

[Signature of 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.

[Signature of Diane Rauh] City Clerk