



Roll Call Number

16-2036

Agenda Item Number

52

Date November 21, 2016

CONTINUANCE OF HEARING ON SALE OF EXCESS AIRPORT PROPERTY LOCATED NORTH OF AND ADJOINING MCKINLEY AVENUE AT SOUTHWEST 33RD STREET TO GLEN BROWN AND APRIL BARKLEY BROWN FOR \$120,000.00

WHEREAS, the Des Moines Airport Authority Board has been approached by Glen Brown and April Barkley Brown for the sale of excess City-owned real property located along McKinley Avenue at Southwest 33rd Street ("Property"), more particularly described herein, to allow them to develop a single family home; and

WHEREAS, Glen Brown and April Barkley Brown have offered the City of Des Moines \$120,000 for the purchase of the Property, subject to the terms and conditions contained in the Offer to Purchase Real Estate from the City of Des Moines and Acceptance, including easements for noise, aviation, and existing utilities, which price reflects the fair market value of the Property as determined by an independent appraisal; and

WHEREAS, on August 9, 2016, by Roll Call No. A16-047, the Des Moines Airport Authority Board voted to recommend that the City of Des Moines proceed with the sale of Property, which is currently leased to the Des Moines Airport Authority by the City of Des Moines; and

WHEREAS, on August 22, 2016, by Roll Call No. 16-1401, the City Council of the City Des Moines, Iowa voted to receive and file the Des Moines Airport Authority Board's recommendation to proceed with the sale; and resolved that the proposed conveyance of the Property as well as the corresponding amendment the Real Estate Lease and Asset Transfer Agreement between the City of Des Moines, Iowa, and the Des Moines Airport Authority, dated November 1, 2011, to exclude the Property from said lease be set down for hearing on September 12, 2016, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of the proposal was published as provided by law in the Des Moines Register, setting forth the time and place for hearing on the proposal; and

WHEREAS, 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 the Property to Glen Brown and April Barkley Brown for \$120,000; and

WHEREAS, on September 12, 2016, by Roll Call No. 16-1568, the hearing on said proposal was continued to September 26, 2016, in order to allow the Federal Aviation Administration to complete its review of an updated appraisal for the proposed sale and obtain a written grant release of the Property; and

WHEREAS, on September 26, 2016, by Roll Call No. 16-1666, the hearing on said proposal was continued to October 10, 2016, in order to allow the Federal Aviation Administration to complete its

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review of an updated appraisal for the proposed sale and obtain a written grant release of the Property; and

WHEREAS, on October 10, 2016, by Roll Call No. 16-1767, the hearing on said proposal was continued to November 21, 2016, in order to allow the Federal Aviation Administration to complete its review of an updated appraisal for the proposed sale and obtain a written grant release of the Property; and

WHEREAS, an additional continuance of the public hearing is needed until the Council meeting on January 9, 2017, in order to allow the Federal Aviation Administration additional time to issue to the Airport Authority a written deed of release of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the public hearing for vacation and conveyance of excess City-owned real property located along McKinley Avenue at Southwest 33rd Street Des Moines, Iowa, to Glen Brown and April Barkley Brown in consideration of \$120,000.00 as well as the proposed corresponding amendment the Real Estate Lease and Asset Transfer Agreement between the City of Des Moines, Iowa, and the Des Moines Airport Authority, dated November 1, 2011, to exclude the Property from said lease be and is hereby continued to January 9, 2017, at 5:00 p.m. in the City Council Chambers.

(Council Communication No. 16-654)

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Lisa A. Wieland
Lisa A. Wieland,
Assistant City Attorney

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

MOTION CARRIED APPROVED

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.

Y. McFadden Mayor

Diane Rauh City Clerk