



Roll Call Number

18-1403

WITHDRAWN

Agenda Item Number

17

Date August 20, 2018

SET HEARING FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCATED WEST OF AND ADJOINING 2418 SUNSET ROAD TO BARBER BROTHERS ENTERPRISES, L.L.C. FOR \$42,460.00

WHEREAS, the City of Des Moines, Iowa, ("City") is the owner of certain excess real estate locally known as 2504 Sunset Road, Des Moines, Iowa, (hereinafter "Property"), more particularly described below; and

WHEREAS, Barber Brothers Enterprises, L.L.C. has offered to the City of Des Moines, Iowa, the purchase price of \$42,460.00 for the purchase of said Property in order to assemble it with the adjoining property for expansion of its existing commercial business, subject to a reservation of easements therein and further subject to the reservation of a Permanent Easement for Sanitary Sewer Right-of-Way and Pump Station over Lot 94, -except the west 10 feet of said Lot 94-, Valley Gardens, which will be included in the Quit Claim Deed, which price reflects the fair market value of said Property as determined by the City's Real Estate Division; and

WHEREAS, the City has no known current or anticipated public need for the 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 certain City of Des Moines real estate locally known as 2504 Sunset Road, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein and further subject to the reservation of a Permanent Easement for Sanitary Sewer Right-of-Way and Pump Station over Lot 94, -except the west 10 feet of said Lot 94-, Valley Gardens, which will be included in the Quit Claim Deed from the City of Des Moines to Barber Brothers Enterprises, L.L.C., to allow for continued City access to the sanitary sewer line and pump station located on said parcel:

Grantee: Barber Brothers Enterprises, L.L.C.

Consideration: \$42,460.00

Legal Description:

LOT 94 AND LOT 95, -EXCEPT THE WEST 10 FEET OF SAID LOT 94-, VALLEY GARDENS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.56 ACRES (24,420 SQUARE FEET).

2. A public hearing shall be held on September 10, 2018, 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.



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4. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Lisa A. Wieland*

Lisa A. Wieland, Assistant City Attorney

*RW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

\_\_\_\_\_ City Clerk