



Roll Call Number

18-1751

Agenda Item Number

23

Date October 22, 2018

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCATED AT 4200 HUBBELL AVENUE TO MARTIN J. ERMELS AND KATHLEEN ERMELS FOR \$156,448.00

WHEREAS, on May 16, 2018 the City of Des Moines, Iowa, (“City”) acquired from Kum and Go, L.C. certain real estate locally known as 4200 Hubbell Avenue, Des Moines, Iowa, for the East 42nd Street and Hubbell Avenue Intersection Improvements Project (“Project”); and

WHEREAS, the part of the Project at 4200 Hubbell Avenue has been completed and the City of Des Moines City Engineer has determined that the remaining portion of the property, more particularly described below, including the improvements thereon, (hereinafter “Property”) is not needed for the Project; and

WHEREAS, in accordance with Iowa Code §306.23, notices to all prior owners have been sent out and no competing offers were received by the City; and

WHEREAS, Martin J. Ermels and Kathleen Ermels have offered to the City of Des Moines, Iowa, the purchase price of \$156,448.00 for the purchase of said Property in order to relocate their existing bookkeeping business, subject to a reservation of easements therein, which price reflects the fair market value of said Property based on an independent appraisal obtained by the City; 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 4200 Hubbell Avenue, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee:	Martin J. Ermels and Kathleen Ermels
Consideration:	\$156,448.00
Legal Description:	LOT 11 (except part deeded to City) in CAPITOL HEIGHTS, REPLAT, an Official Replat of Capitol Heights, according to the recorded plat thereof, now included in and forming a part of the City of Des Moines, Iowa.

2. A public hearing shall be held on November 5, 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. Proceeds from the sale of this property will be deposited to the East 42nd Street and Hubbell Avenue Intersection Improvements Project: Org – C038EG99.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Ann M. DiDonato

Ann M. DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED
J. M. Frankin Cownie 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.

Diane Rauh City Clerk