



Roll Call Number

19-0037

Agenda Item Number

22

Date January 14, 2019

SET HEARING FOR VACATION OF ALLEY RIGHT-OF-WAY AND CONVEYANCE OF A PORTION OF SAID ALLEY RIGHT-OF-WAY AND OTHER CITY-OWNED PROPERTY LOCATED AT 111 JEFFERSON AVENUE TO 111 JEFFERSON AVE LLC FOR COMMERCIAL REDEVELOPMENT WITHIN THE CENTRAL PLACE INDUSTRIAL PARK FOR \$43,500

WHEREAS, on May 20, 1985, by Roll Call No. 85-2388, the City Council of the City of Des Moines approved the Central Place Industrial Park Redevelopment Program Urban Renewal Plan, and such Plan has been amended 15 times (the urban renewal plan so amended is herein referred to as the "Plan"), bounded on the north and east by the Des Moines River, on the west by 2nd Avenue, and on the south by University Avenue; and

WHEREAS, City staff and 111 Jefferson Ave LLC ("Buyer") have negotiated terms relating to the sale of City-owned property locally known as 111 Jefferson Avenue and adjoining alley right-of-way ("Property") and located in the Central Place Industrial Park, for the purchase price of \$43,500.00 for commercial redevelopment, which price equals fair market value for the Property as determined by the City's Real Estate Division; and

WHEREAS, the proposed use of the Property is for a regional office facility for the multistate business, Commonwealth Electric Company, as a tenant of the Property; and

WHEREAS, the Offer to Purchase, as on file in the office of the City Clerk, includes the option for Buyer to receive a closing credit toward the purchase price in the lesser of \$20,000.00 or the amount of the lowest of three bids estimating the cost of environmental remediation on the site, if applicable, and the conditions precedent to closing of City site plan approval, commercial tax abatement review, and Urban Design Review Board recommendation of approval of a Conceptual Development Plan showing the proposed improvements on the Property; and

WHEREAS, on January 17, 2019, the City Plan and Zoning Commission will consider vacation of the City alley right-of-way included in the Property, which Commission recommendation will be submitted to City Council concurrently with the public hearing on the sale of the Property to Buyer, and, in accordance with the Offer to Purchase, the sale of such right-of-way to Buyer shall be subject to City Council approval of an ordinance vacating said right-of-way and resolution approving the sale of a portion of said vacated right-of-way to Buyer, and a no-build easement restricting Buyer's use of the right-of-way area; and

WHEREAS, there is no known current or anticipated public benefit or need for the Property proposed to be sold, including the right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation and 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, shall consider adoption of an ordinance permanently vacating all of the east-west alley right-of-way located north of and adjoining 101, 107, and 111 Jefferson Avenue, Des Moines, Iowa, as legally described as follows:

★ Roll Call Number

19-0087

Agenda Item Number

22

Date January 14, 2019

ALL OF THE EAST-WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 17 THROUGH 24, BLOCK 3, ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the real property locally known as 111 Jefferson Avenue, Des Moines, Iowa, as well as all of the vacated alley right-of-way located north of and adjoining 111 Jefferson Avenue, all as legally described below, to 111 Jefferson Ave LLC, in exchange for \$43,000.00, subject to reservation of easements for utilities therein:

LOTS 17 THROUGH 21, BLOCK 3, ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 30,635 SQUARE FEET;

AND

ALL OF THE VACATED EAST-WEST ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 17 THROUGH 21, BLOCK 3, ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 3,500 SQUARE FEET.

3. A public hearing shall be held on January 28, 2019 at 5:00 p.m. in the Council Chambers, 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.

4. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

MOVED BY Gatto TO ADOPT.

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

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.

T.M. Franklin Cownie Mayor

Diane Rauh City Clerk