



**Roll Call Number**

19-0281

**Agenda Item Number**

19

**Date** February 25, 2019

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED EAST OF AND ADJOINING 126 FRANKLIN AVENUE AND VACATED ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 126 FRANKLIN AVENUE TO FIVE-C2 PROPERTIES, LLC FOR \$3,200.00**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate located east of and adjoining 126 Franklin Avenue, and vacated alley right-of-way located south of and adjoining 126 Franklin Avenue, (hereinafter collectively “Property”), more particularly described below; and

**WHEREAS**, Five-C2 Properties, LLC has offered to the City of Des Moines, Iowa, the purchase price of \$3,200.00 for the purchase of said Property in order to allow for access to the rear of the existing commercial building, subject to a no-build easement, which price reflects the restricted 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 located east of and adjoining 126 Franklin Avenue, and vacated alley right-of-way located south of and adjoining 126 Franklin Avenue, 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 a no-build easement:

Grantee: Five-C2 Properties, LLC

Consideration: \$3,200.00

Legal Description:

THE WEST 15 FEET OF LOT 5, AND ALL OF THE VACATED EAST/WEST ALLEY LYING SOUTH OF LOTS 6, 7 AND 8 AND LYING SOUTH OF THE WEST 15 FEET OF SAID LOT 5, ALL IN 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 4,148 SQUARE FEET.

2. A public hearing shall be held on March 11, 2019, 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 this sale will be deposited into the Economic Development Enterprise Fund, CM025033.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

[Signature]

Lisa A. Wieland, Assistant City Attorney

*DR*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<i>J. M. Grantham Cownie</i> 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