

★ Roll Call Number

19-0704

Agenda Item Number

14

Date May 6, 2019

**RESOLUTION SCHEDULING HEARING ON PROPOSED SALE OF
THE CITY-OWNED EIGHTH AND MULBERRY PARKING GARAGE PROPERTY
AT 750 MULBERRY STREET TO EMPLOYERS MUTUAL CASUALTY COMPANY**

WHEREAS, the home offices of Employer's Mutual Casualty Company ("EMC"), a multistate business, are located at 717 Mulberry Street and adjacent properties; and

WHEREAS, in conjunction with the continued operations and expansion of its home office for its multistate business in the downtown, EMC desires to acquire the City-owned 843-space Eighth and Mulberry parking garage property located at 750 Mulberry Street; and

WHEREAS, it is in the best interests of the City to sell the Eighth and Mulberry parking garage property to EMC in support of the continued operations and expansion of EMC's home office of the multistate business in the downtown; and

WHEREAS, the City has negotiated an Offer to Purchase Real Estate from the City of Des Moines and Acceptance ("Purchase Agreement") with EMC which is on file and available for public inspection in the Office of the City Clerk, whereby EMC has agreed that in consideration of the City's sale and conveyance to EMC of the Eighth and Mulberry parking garage property, EMC shall:

- i. Close on its purchase of the parking garage, for a purchase price of \$14,900,000;
- ii. Enter into a public parking agreement with the City to provide limited public parking in the parking garage, the EMC-owned parking garage adjacent thereto and the EMC-owned surface parking lot on the adjoining block; and
- iii. Lease to the City the existing occupied office space in the parking garage for the City's police department traffic enforcement operations on terms acceptable to the City and EMC.

WHEREAS, the sale of the Eighth and Mulberry parking garage property is for use as part of EMC's home office for its multistate business in the downtown, and as such the sale is exempt from the competitive disposition requirements otherwise imposed by Iowa Code Section 403.8 of the Urban Renewal Law.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The City of Des Moines hereby declares its intent to consider approving the proposed Purchase Agreement with Employer's Mutual Casualty Company, and the sale and conveyance to EMC of the Eighth and Mulberry parking garage on the property described below, at a public hearing to be held on May 20, 2019 at 5:00 p.m. in the Council Chambers at City Hall:

WEST HALF OF BLOCK 3, FORT DES MOINES

LOTS 1, 2, 3, AND 4, BLOCK 3, FORT DES MOINES, AN OFFICIAL PLAT, AND THE WEST 1/2 OF VACATED PLUM STREET ADJOINING SAID LOTS 2 AND 3, AND THE WESTERLY PART OF VACATED NORTH / SOUTH ALLEY MEASURED 8.25 FEET ALONG THE NORTH LINE OF SAID BLOCK 3 AND MEASURED 10.15 FEET ALONG THE SOUTH LINE OF SAID BLOCK 3, ADJOINING SAID LOTS 1, 2, 3, AND 4, AND ADJOINING SAID WEST 1/2 OF VACATED PLUM STREET. AS SURVEYED AND MONUMENTED IN THE FIELD BY ELMER L. MILLER JR., LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. CONTAINING BY SURVEY 42,864 SQUARE FEET.

ALSO DESCRIBED AS:

LOTS 1, 2, 3, AND 4, BLOCK 3, FORT DES MOINES, AN OFFICIAL PLAT, AND THE WESTERLY PART OF VACATED NORTH / SOUTH ALLEY MEASURED 8.25 FEET ALONG THE NORTH LINE OF SAID BLOCK 3 AND MEASURED 10.15 FEET ALONG THE SOUTH LINE OF SAID BLOCK 3 ADJOINING SAID LOTS 1, 2, 3, 4, AND THROUGH VACATED PLUM STREET, AND THE WESTERLY

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PART OF VACATED PLUM STREET ADJOINING SAID LOTS 2, 3, AND ADJOINING SAID WESTERLY PART OF VACATED NORTH / SOUTH ALLEY. AS SURVEYED AND MONUMENTED IN THE FIELD BY ELMER L. MILLER JR., LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. CONTAINING BY SURVEY 42,864 SQUARE FEET.

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

(Council Communication 19- 194 Attached)

Moved by Gatto to adopt.

APPROVED AS TO FORM:


 Lawrence R. McDowell
 Deputy City Attorney

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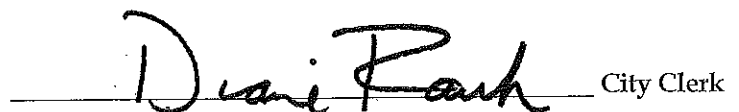
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

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.


 J. M. Franklin Cownie Mayor


 Diane Rauh City Clerk