



Roll Call Number

19-0992

Agenda Item Number

19

Date June 24, 2019

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCALLY KNOWN AS 2516, 2600, 2605, AND 2607 SUNSET ROAD TO IOWA PACIFIC PROCESSORS, INC. FOR \$162,900.00, AND GRANTING AN OPTION TO PURCHASE EXCESS REAL PROPERTY LOCALLY KNOWN AS 2700, 2708, District/Parcel 010/05246-000-000, 2720, and portions of 2707 and 2715 SUNSET ROAD TO IOWA PACIFIC PROCESSORS, INC. FOR \$1,000.00**

WHEREAS, the City of Des Moines, Iowa, ("City") is the owner of certain excess real estate locally known as 2516, 2600, 2605, and 2607 Sunset Road, Des Moines, Iowa, (hereinafter "Property"), more particularly described below; and

WHEREAS, Iowa Pacific Processors, Inc. has offered to the City of Des Moines, Iowa, the purchase price of \$162,900.00 for the purchase of said Property in order to assemble it with its adjoining property for a planned Phase 1 expansion of its existing commercial business, subject to a reservation of easements therein, and further subject to the following restrictive covenant: Any construction on the Property by Buyer and/or its tenant, and any reconstruction in the event of damage or destruction to original construction, shall be compliant with a Conceptual Development Plan approved by the City's Urban Design Review Board, and with the Commercial Tax Abatement Construction and Design Sustainability Guidelines, and in accordance with a City-approved Site Plan, which covenant 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 of Des Moines, Iowa, ("City") is also the owner of certain excess real estate locally known as 2700, 2708, District/Parcel 010/05246-000-000, 2720, and portions of 2707 and 2715 Sunset Road, Des Moines, Iowa, (hereinafter "Option Property"), more particularly described below; and

WHEREAS, Iowa Pacific Processors, Inc. has also offered to the City of Des Moines, Iowa, the purchase price of \$1,000.00 for the purchase of an Option to Purchase Real Property, (hereinafter "Option to Purchase"), in said Option Property in order to assemble it with its adjoining property for a planned Phase 2 expansion of its existing commercial business, which price reflects the fair market value of said Option to Purchase, as determined by the City's Real Estate Division; and

WHEREAS, Iowa Pacific Processors, Inc. shall have three (3) calendar years from the date of recording the Option to Purchase in the office of the Polk County Recorder to exercise the Option to Purchase by providing notice of intent in writing to the City; and

WHEREAS, the City has no known current or anticipated public need for the Property or the Option Property proposed to be sold and the City will not be inconvenienced by the sale of said Property and the Option to Purchase the Option Property.

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



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1. The City Council of the City of Des Moines, Iowa, proposes to sell certain City of Des Moines real estate locally known as 2516, 2600, 2605, and 2607 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 following restrictive covenant on the Property: Any construction on the Property by Buyer and/or its tenant, and any reconstruction in the event of damage or destruction to original construction, shall be compliant with a Conceptual Development Plan approved by the City's Urban Design Review Board, and with the Commercial Tax Abatement Construction and Design Sustainability Guidelines, and in accordance with a City-approved Site Plan; which covenant will be included in the Quit Claim Deed from the City of Des Moines to Iowa Pacific Processors, Inc.:

Grantee: Iowa Pacific Processors, Inc.

Consideration: \$162,900.00

Legal Description:

LOT 75 AND, EXCEPT THE WEST 3 FEET THEREOF, LOT 76; AND LOTS 90 THROUGH 93, AND THE WEST 10 FEET OF LOT 94, ALL IN 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 1.87 ACRES (81,449 SQUARE FEET).

2. The City Council of the City of Des Moines, Iowa, further proposes to grant an Option to Purchase Real Property for certain excess City of Des Moines real estate locally known as 2700, 2708, District/Parcel 010/05246-000-000, 2720, and portions of 2707 and 2715 Sunset Road, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below:

Grantee: Iowa Pacific Processors, Inc.

Consideration: \$1,000.00

Legal Description:

PARCEL 2019-74 AND PARCEL 2019-75, AND LOTS 83 THROUGH 86, 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 1.55 ACRES (67,551 SQUARE FEET).

2. A public hearing shall be held on July 15, 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 proposals 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 proposals 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 Boesen to adopt.

APPROVED AS TO FORM:

[Signature]

Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

Bill Gray

MAJOR PRO TEM

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.

[Signature]

City Clerk