



Roll Call Number

19-1151

Agenda Item Number

66

Date July 15, 2019

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED AT 1500 MAURY STREET TO COMISKEY GLASS & GLAZING COMPANY FOR \$215,000.00**

**WHEREAS**, on August 10, 2017, the City of Des Moines, Iowa (“City”) acquired 1500 Maury Street from South Decorating, Inc. for the Municipal Service Center Phase 2 Project (“Project”); and

**WHEREAS**, subsequent revisions to the Municipal Service Center Phase 2 Project plan determined that 1500 Maury Street was no longer required for the Project and was declared excess City property; and

**WHEREAS**, Comiskey Glass & Glazing Company has offered to the City the purchase price of \$215,000.00 for the purchase of 1500 Maury Street (hereinafter “Property”), to allow for growth and expansion of its commercial glass repair and glazing business, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property as determined by the City’s Real Estate Division; and

**WHEREAS**, there is no known current or future public need for the Property proposed to be sold, and the City will not be inconvenienced by the sale and conveyance of said Property; and

**WHEREAS**, on June 24, 2019 by Roll Call No. 19-0991, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on July 15, 2019, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

**WHEREAS**, due notice of said proposal to convey the Property was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the excess City property locally known as 1500 Maury Street, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of 1500 Maury Street, Des Moines, Iowa, legally described as follows, to Comiskey Glass & Glazing Company for \$215,000.00, and said conveyance is



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hereby approved, subject to reservation of easements for all existing utilities in place, until such time that they are abandoned or relocated:

THE SOUTH ½ OF LOT 6 AND ALL OF LOTS 7, 8, 9 AND 10 IN BLOCK 4, HAWTHORN GROVE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. The City's Real Estate Division Manager is authorized to sign any minor and non-substantial amendments to the purchase agreement and is further authorized to grant any temporary rights of entry for construction-related activities prior to closing.
5. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
6. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.
8. Proceeds from this sale will be deposited into the Municipal Service Center Phase 2 Project account: Org – C034PK99.



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Moved by Gatto to adopt.

APPROVED AS TO FORM:

[Signature]

Lisa Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL				
<p>[Signature: J. M. Franklin Cownie]</p> <p>Mayor</p>				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.

[Signature: Diane Rauh]

City Clerk