



Roll Call Number

19-1592

Agenda Item Number

22

Date October 14, 2019

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCALLY KNOWN AS 106 FRANKLIN AVENUE TO PYRAMID MASONRY, INC. FOR \$67,245.00**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate locally known as 106 Franklin Avenue, Des Moines, Iowa, (hereinafter “Property”), more particularly described below; and

**WHEREAS**, Pyramid Masonry, Inc. has offered to the City of Des Moines, Iowa, the purchase price of \$67,245.00 for the purchase of said Property in order to develop the site with a commercial masonry business and lease space, subject to a reservation of easements therein, which price reflects the fair market value of said Property as determined by the City’s Real Estate Division; and

**WHEREAS**, conveyance of the Property is further subject to and contingent upon approval by City of Des Moines of a site plan for the construction of any proposed improvements on the Property, and further subject to and contingent upon a recommendation of approval by the City’s Urban Design Review Board of a Conceptual Development Plan; 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 excess City of Des Moines real estate locally known as 106 Franklin Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein, and further subject to approval by the City of Des Moines of a site plan for the construction of any proposed improvements on the Property, and further subject to a recommendation of approval by the City’s Urban Design Review Board of a Conceptual Development Plan on the Property:

Grantee: Pyramid Masonry, Inc.

Consideration: \$67,245.00

Legal Description:

**-EXCEPT THE WEST 15 FEET OF LOT 5- AND -EXCEPT THE VACATED EAST/WEST ALLEY LYING SOUTH OF THE WEST 15 FEET OF SAID LOT 5-, LOTS 1, 2, 3, 4 AND 5, AND ALL OF THE VACATED EAST/WEST ALLEY LYING SOUTH OF SAID LOTS 1, 2, 3, 4 AND 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 33,623 SQUARE FEET.**

2. A public hearing shall be held on November 4, 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.



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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.

4. Proceeds from this sale will be deposited into the Economic Development Enterprise Fund, CM025033.

Moved by Coleman 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	7			

CERTIFICATE

I, Laura Baumgartner, Acting 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] Mayor

[Signature] Acting City Clerk