



Roll Call Number

19-1720

Agenda Item Number

28

Date November 4, 2019

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF CERTAIN EXCESS CITY-OWNED PROPERTY ACQUIRED AS PART OF THE 2018 LIMITED VOLUNTARY FLOOD BUYOUT PROGRAM TO THE ADJOINING OWNERS FOR SIDEYARD PURPOSES ONLY**

**WHEREAS**, on July 16, 2018, by Roll Call No. 18-1218, the City Council of the City of Des Moines, Iowa voted to authorize the City Manager to develop and implement an administrative plan for the voluntary acquisition of certain one and two-family residential flood damaged properties; and

**WHEREAS**, by the end of December 2018, the City of Des Moines had acquired a total of seventy-seven (77) properties from those owners who had chosen to participate in the buyout program, with the demolition and removal of all structures being completed by May of 2019; and

**WHEREAS**, it was subsequently determined by City Engineering, Public Works, and Community Development staff that sixteen (16) of the acquired properties, all of which are located outside of the Fourmile Creek area, could be sold to adjoining property owners for use as expanded sideyard only, subject to a reservation of easements therein, and further subject to the reservation of a Permanent Easement for Storm Sewer and Surface Water Flowage, which will be included in the Quit Claim Deed from City to the buyers; and

**WHEREAS**, the City’s Real Estate Division has negotiated offers to purchase with six owners of property that adjoin certain City-owned flood buyout parcels (hereinafter collectively “Property”), with the consideration listed for each conveyance below being equal to the estimated fair market value of the property interests to be conveyed, as determined by the City’s Real Estate Division; and

**WHEREAS**, there is no known current or future public need or benefit for the City 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, as follows:

1. The City Council of the City of Des Moines, Iowa, proposes to sell certain excess City-owned property acquired as part of the 2018 Limited Voluntary Flood Buyout as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein, and further subject to the reservation of a Permanent Easement for Stormwater and Surface Water Flowage which will be included in the Quit Claim Deed from City to the grantees:

Grantee: Todd Norman and Diana Norman  
Consideration: \$500.00



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Legal Description: LOT 13 IN BLOCK 4 OF HYDE PARK PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Grantee: Curtis Voshell

Consideration: \$250.00

Legal Description: THE EAST HALF (1/2) OF LOT 22, BLOCK 4, HYDE PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Grantee: Gregorio Uribe-Lugo and Tammy M. Bonnett Uribe

Consideration: \$250.00

Legal Description: THE WEST HALF (1/2) OF LOT 22, BLOCK 4, HYDE PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Grantee: Lorei Lynn

Consideration: \$500.00

Legal Description: LOT 4 IN RUSSELL PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Grantee: Christopher Bickel and Tina Bickel

Consideration: \$500.00

Legal Description: LOT 17, LOT 18 AND THE WEST 1/2 OF LOT 19 IN LEWIS PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

Grantee: Michael A. Rose and Penny R. Rose

Consideration: \$500.00

Legal Description: LOT 16 IN BLOCK 4 IN FINAL PLAT OF HOFFMAN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

2. A public hearing shall be held on November 18, 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.
4. Proceeds from this sale will be deposited into the General Fund, Unallocated: Org - ND405643.

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland  
Lisa A. Wieland, Assistant City Attorney

*PCW*

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

**CERTIFICATE**

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk

MOTION CARRIED APPROVED  
J. M. Franklin Cownie Mayor