



Roll Call Number

19-1827

Agenda Item Number

24 ✓

Date November 18, 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 AT 2617 48TH PLACE TO BRENT MILLIS FOR SIDEYARD PURPOSES ONLY FOR \$250.00

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 eighteen (18) 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, Brent Millis (“Buyer”) has offered to the City of Des Moines (“City”) the purchase price of \$250.00 for the purchase of 2617 48th Place (hereinafter “Property”) for sideyard purposes, 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 price reflects the estimated fair market value of the Property 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 located at 2617 48th Place, as legally described, to the grantee, and for the consideration identified below, 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 grantee:

Grantee: Brent Millis
Consideration: \$250.00

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Legal Description: LOT 83 IN JANA'S PLACE REPLAT, 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 December 2, 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.

Moved by Boesen to adopt.

APPROVED AS TO FORM:

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

BSW

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

MOTION CARRIED 7 APPROVED

J. M. Frankhauser Mayor

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