

Date June 22, 2020

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR A LAND EXCHANGE  
PURCHASE AGREEMENT BETWEEN THE CITY OF DES MOINES AND GREATER  
DES MOINES HABITAT FOR HUMANITY, INC. FOR EXCHANGE OF  
COMPARABLE PROPERTIES**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) obtained the tax sale certificate of certain real estate locally known as 3200 Bowdoin Street and 1509 E. 36<sup>th</sup> Court, Des Moines, Iowa, (hereinafter “City Parcels”), more particularly described below; and

**WHEREAS**, Greater Des Moines Habitat For Humanity, Inc., (“Seller”) is the owner of certain real estate locally known as 1611 De Wolf Street and District/Parcel 110/00606-000-000, Des Moines, Iowa, (hereinafter “Seller Parcels”), which adjoin or are located near the City Parcels, and are legally described below; and

**WHEREAS**, Seller has offered to convey the Seller Parcels to the City in exchange for the City’s assignment of the City’s tax sale certificates in the City Parcels, subject to a reservation of easements therein, which represents an equal exchange of value as determined by the City’s Real Estate Division; and

**WHEREAS**, the City has no known current or anticipated public need for the City Parcels proposed to be exchanged and the City will not be inconvenienced by the conveyance of said City Parcels.

**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 exchange its interest in tax sale certificates for real property locally known as 3200 Bowdoin Street and 1509 E. 36<sup>th</sup> Court, Des Moines, Iowa (City Parcels), as legally described below, subject to a reservation of easements therein, for two parcels of equal value owned by Greater Des Moines Habitat For Humanity, Inc. locally known as 1611 De Wolf Street and District/Parcel 110/00606-000-000 (Seller Parcels), also legally described below:

**City Parcels:**

**3200 Bowdoin Street**

LOT 12, BLOCK 18, PLAT 1 OF AUBURN HEIGHTS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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**1509 E. 36<sup>th</sup> Court**

LOTS 110 AND 111, GRAY'S WOODS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

**Seller Parcels:**

**1611 De Wolf Street**

LOT 22, BLOCK 3, T.E BROWN'S OFFICIAL PLAT OF THE NORTHEAST ¼ OF SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., EXCEPT THE NORTHEAST 40.0 ACRES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

**District/Parcel No. 110/00606-000-000**

LOT 3, BLOCK 4, T.E BROWN'S OFFICIAL PLAT OF THE NORTHEAST ¼ OF SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., EXCEPT THE NORTHEAST 40.0 ACRES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on July 13, 2020, at 5:00 p.m. in the MSC Board Room, Richard A. Clark Municipal Services Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. Given Mayor Cownie's June 5, 2020 Proclamation Amendment placing certain requirements on gatherings of ten or more persons on public property and the Section One of the Governor's May 26, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak, the meeting may be conducted electronically with no public access to the meeting location or conducted electronically with public access to the meeting location. For an update on whether public access to the meeting will be permitted, you may contact the City Clerk at (515) 283-4209 or check the agenda for the meeting posted on the City's website ([www.dsm.city](http://www.dsm.city)). Meeting minutes will continue to be provided per the City's normal course of business. To participate in the electronic meeting, access is available via the internet or telephonically (details below):

- To join the Zoom Meeting via the internet, access:
  - <https://zoom.us/j/94116598764?pwd=anVsSXlHMfdZcXBkeUxvTGZMVFVWUT09>
- To join telephonically toll free, dial:
  - (833) 548-0276 or (888) 475-4499
  - Meeting ID: 941 1659 8764
  - Password: 798755

★ Roll Call Number  
 ..... 20-1009 .....

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 ..... 40 .....

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At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing. The City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. July 9, 2020 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1<sup>st</sup> Floor, Des Moines, IA 50309; Email [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org)).

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. Closing costs for this transaction will be paid from the Guthrie Avenue Business Park Project budget: Org – CM025033.

Moved by         *Gatto*         to adopt.

APPROVED AS TO FORM:

        /s/          
 Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

*J. M. Franklin Cownie* 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