



**Roll Call Number**

22-0600

**Agenda Item Number**

23

**Date** April 18, 2022

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY-OWNED PROPERTY LOCALLY KNOWN AS 2123, 2127, 2207 AND 2211 SOUTHWEST 23<sup>RD</sup> STREET TO GROBEN WINE L.L.C. D/B/A JASPER WINERY FOR \$133,600.00**

**WHEREAS**, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate locally known as 2123, 2127, 2207 and 2211 Southwest 23<sup>rd</sup> Street, Des Moines, Iowa, (hereinafter “Property”), more particularly described below; and

**WHEREAS**, Groben Wine, L.L.C. d/b/a Jasper Winery, owner of 2400 George Flagg Parkway, which property is located across Southwest 23<sup>rd</sup> Street from the subject Property, has offered to the City of Des Moines, Iowa, the purchase price of \$133,600.00 for the purchase of the Property in order to redevelop said Property to enhance its adjoining commercial winery business property, 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**, closing on the sale of the Property shall occur on or about March 1, 2023 after the expiration of a lease agreement on the Property, unless a different time is set by mutual agreement of the parties; 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 City of Des Moines real estate locally known as 2123, 2127, 2207 and 2211 Southwest 23<sup>rd</sup> Street, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: Groben Wine, L.L.C. d/b/a Jasper Winery

Consideration: \$133,600.00

Legal Description: Lots 143, 144, 145, 146 and 147 Valley Gardens, 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 May 9, 2022 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.

In addition, 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. May 5, 2022 (City



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Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org)).

Please check the posted agenda in advance of the May 9, 2022 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

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 land sale will be deposited to the Economic Development Enterprise Fund, CM025033.

Moved by Gatto to adopt. Second by Boesen

APPROVED AS TO FORM:

/s/ Lisa A. Wieland

Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
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