



Roll Call Number

23-0899

Agenda Item Number

21

Date June 26, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PORTION OF EXCESS CITY PROPERTY LOCATED EAST OF AND ADJOINING 1700 SCOTT AVENUE TO C & C REALTY, LLC FOR \$25,640

WHEREAS, on December 17, 2018 by Roll Call 18-2110 the City Council of the City of Des Moines, Iowa approved a Land Exchange Agreement with Hawkeye Land Co. whereby the City acquired a Temporary Easement for Construction, a portion of vacated Market Street within the Market District and a vacant parcel located east of and adjoining 1700 Scott Avenue, Des Moines; and

WHEREAS, C & C Realty, LLC, 1700 Scott Avenue, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$25,640.00 for the purchase of the vacant parcel located east of and adjoining its property at 1700 Scott Avenue (hereinafter "Property"), for assemblage with 1700 Scott Avenue, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property 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 a vacant City-owned parcel of land located south of Martin Luther King, Jr. Parkway, east of and adjoining 1700 Scott Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: C & C Realty, LLC

Consideration: \$25,640.00

Legal Description: A PARCEL OF LAND DEEDED TO THE CITY OF DES MOINES, IOWA AND RECORDED AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA IN BOOK 17235 PAGES 774-778 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOT 1, 4, AND 5 OF THE OFFICIAL PLAT OF LOT 46 BROOKS & COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF LOT 2 OF THE OFFICIAL PLAT OF LOT 45, BROOKS & COS ADDITION TO THE CITY OF DES MOINES; THENCE NORTH 89° (DEGREES) 45' (MINUTES) 10" (SECONDS) WEST, 355.01 FEET ON THE NORTH RIGHT OF WAY LINE OF SCOTT STREET (AVENUE) TO THE SOUTHEAST CORNER OF SAID LOT 5 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°45'10" WEST, 32.29 FEET ON SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 00°12'57" EAST, 318.59 FEET; THENCE 128.42 FEET ON A 363.00 FOOT RADIUS CURVE TO THE LEFT WITH A

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CHORD LENGTH OF 127.75 FEET AND BEARS NORTH 09°47'56" WEST; THENCE NORTH 90°00'00" EAST, 51.68 FEET TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00°08'56" EAST, 444.61 FEET ON THE EAST LINE OF SAID LOTS 1, 4, AND 5 TO THE POINT OF BEGINNING, CONTAINING 0.34 ACRES MORE OR LESS.

2. A public hearing shall be held on July 17, 2023, 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. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno

Mackenzie L. Moreno, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner

Laura Baumgartner, City Clerk