

★ Roll Call Number

23-0938

Agenda Item Number

55

Date June 26, 2023

HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED AT THE CORNER OF EAST WASHINGTON AVENUE AND DEWOLF STREET TO JACKSON CONTRACTING, LLC FOR \$30,500

WHEREAS, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate located at the corner of East Washington Avenue and DeWolf Street, Des Moines, Iowa, locally known as Geoparcels 792436277007, and 1611 DeWolf Street, Des Moines, Iowa, (hereinafter collectively “Property”), more particularly described below; and

WHEREAS, Jackson Contracting, LLC has offered to the City of Des Moines, Iowa, the purchase price of \$30,500.00 for the purchase of said Property in order to redevelop the property with a commercial transportation sign business, which price reflects the fair market value as determined by the City’s Real Estate Division; 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; and

WHEREAS, on June 12, 2023, by Roll Call No. 23-0825, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance of the Property be set down for hearing on June 26, 2023, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey the Property was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance, as described below, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the excess City property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of certain real estate located at the corner of East Washington Avenue and DeWolf Street, Des Moines, Iowa, locally known as Geoparcels 792436277007, and 1611 DeWolf Street, as legally described, to the grantees, and for the consideration identified below, and said conveyance be and is hereby approved, subject to a reservation of easements therein, and further subject to a no-build easement over 1611 DeWolf Street, which easement will be included in the Quit Claim Deed from City to Buyer:

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Grantee: Jackson Contracting, LLC

Consideration: \$30,500.00

Legal Description:

Geoparcel 792436277007:

LOTS 23 AND 24, BLOCK 3, T E BROWNS OFFICIAL PLAT OF THE NORTHEAST QUARTER OF SECTION 36-79-24, EXCEPT THE NORTHEAST 40 ACRES, CONTAINING APPROXIMATELY 12,200 SQUARE FEET;

AND,

1611 DeWolf Street:

LOT 22, BLOCK 3, T E BROWNS OFFICIAL PLAT OF THE NORTHEAST QUARTER OF SECTION 36-79-24, EXCEPT THE NORTHEAST 40 ACRES, CONTAINING APPROXIMATELY 6,100 SQUARE FEET.

3. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.

4. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.

5. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing the documents to be recorded.

6. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.

4. Non-project related land sale proceeds are used to support general operating budget expenses:
Org – EG064090.

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Moved by Westergaard to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

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.

J. M. Franklin Cownie Mayor

Laura Baumgartner, City Clerk