

★ Roll Call Number

24-0958

Agenda Item Number

31

Date July 15, 2024

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF 2800 BELL AVENUE AND 2818 BELL AVENUE TO BAMS PROPERTIES, LLC, MATTHEW ALLEN NORRIS AND STEVEN WAYNE JONES FOR CHRISTIAN EDWARD PRINT AND GRAPHICS EXPANSION FOR \$174,027**

**WHEREAS**, the City of Des Moines, Iowa ("City") is the owner of certain excess real estate locally known as 2800 Bell Avenue and 2818 Bell Avenue, Des Moines, Iowa (hereinafter "Property"), more particularly described below, which property was acquired in 1994 as part of the FEMA 1993 Flood Mitigation Buyout – City-wide Project; and

**WHEREAS**, on April 25, 2017, the City received notification from the U.S. Department of Homeland Security's Federal Emergency Management Administration (FEMA) that the City's Request to proceed with the sale and redevelopment of the properties acquired for the FEMA 1993 Flood Mitigation Buyout-City-wide Project was approved; and

**WHEREAS**, Bams Properties, LLC, Matthew Allen Norris and Steven Wayne Jones, owners of 2700 Bell Avenue, have offered to the City of Des Moines ("City") the purchase price of \$174,027.00 for the purchase of said property, for assemblage with 2700 Bell Avenue, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to a no-build easement on 2800 Bell Avenue, 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 2800 and 2818 Bell Avenue, Des Moines Iowa, as legally described, to the grantee, and for the consideration identified below, subject to reservation of easements therein, and further subject to a no-build easement on 2800 Bell Avenue:

Grantee: Bams Properties, LLC, Matthew Allen Norris and Steven Wayne Jones

Consideration: \$174,027.00

Legal Description:

Parcel 1 (2800 Bell Avenue, or Parcel No. 7824-18-426-007):

THE EAST 211 FEET OF THE SOUTH 316 FEET OF THE NORTH 349 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., EXCEPT THE WEST 92 FEET OF THE NORTH 165 FEET

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THEREOF, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

Parcel 2 (2818 Bell Avenue, or Parcel No. 7824-18-426-005):

THAT PART OF THE NORTH 7 ACRES OF THE EAST 53 ACRES OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 0°09'10" WEST, 30.05 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BELL AVENUE; THENCE SOUTH 85°52'31" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF BELL AVENUE, 210.86 FEET TO THE POINT OF BEGINNING; THENCE 0°07'01" WEST, 309.36 FEET TO THE SOUTH LINE OF THE NORTH 7 ACRES OF THE EAST 53 ACRES OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE SOUTH 87°55'53" WEST ALONG THE SOUTH LINE OF THE NORTH 7 ACRES OF THE EAST 53 ACRES OF THE SOUTHEAST 1/4 OF SAID SECTION 18, 103.75 FEET; THENCE NORTH 0°04'48" EAST, 305.62 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BELL AVENUE; THENCE NORTH 85°52'31" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF BELL AVENUE, 104.16 TO THE POINT OF BEGINNING, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. A public hearing shall be held on August 5, 2024, 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.

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Moved by Gatto to adopt. Second by Coleman.

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
Carl B. Jans  
Mayor Pro Tem

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