



Roll Call Number

24-1465

Agenda Item Number

44

Date October 21, 2024

HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF THE VACATED NORTH/SOUTH ALLEY ADJOINING 1316 E. 9TH STREET AND 1309 PENNSYLVANIA AVENUE TO CENTRAL IOWA HOSPITAL CORPORATION FOR \$3,780.00

WHEREAS, on May 20, 2024, Roll Call 24-0767, the City Council of the City of Des Moines, Iowa voted to pass Ordinance No. 16,360 vacating the north/south alley right-of-way adjoining 811 Roosevelt Avenue, subject to the reservation of easements for public utilities then in place with right of entry for servicing same; and

WHEREAS, on May 20, 2024, by Roll Call 24-0765, the City Council of the City of Des Moines, Iowa approved conveyance of the west half of the vacated north/south alley right-of way to Central Iowa Hospital Corporation; and

WHEREAS, Central Iowa Hospital Corporation recently purchased 1316 E. 9th Street and has offered to the City of Des Moines (“City”) the purchase price of \$3,780.00 for the purchase of the remaining east half of the vacated north/south alley right-of-way (hereinafter “Property”), for incorporation into their adjoining properties at 1316 E. 9th Street and 1309 Pennsylvania Avenue for redevelopment of a new medical facility, 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.

WHEREAS, on October 7, 2024, by Roll Call No. 24-1347, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on October 21, 2024, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; 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, as follows:

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the east half of the vacated alley right-of-way lying west of and adjoining



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1316 E. 9th Street and 1309 Pennsylvania Avenue, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.

2. There is no public need or benefit for the excess City-owned property proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of the east half of the vacated alley right-of-way lying west of and adjoining 1316 E. 9th Street and 1309 Pennsylvania Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein and said conveyance is hereby approved:

Grantee: Central Iowa Hospital Corporation

Consideration: \$3,780.00

Legal Description:

THE EAST HALF (E 1/2) OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 49 AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH 70 FEET OF LOT 27, ALL IN CAPITAL PARK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 840 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. The City Manager is authorized to sign any minor and non-substantial amendments to the purchase agreement and is further authorized to grant any temporary rights of entry for construction-related activities prior to closing.

5. 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.

6. 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 these documents to be recorded.

7. 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.



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

Moved by Westergaard to adopt. Second by Gatto.

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 BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, 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.

Conie Boesen Mayor

Laura Baumgartner City Clerk