



Roll Call Number

25-0138

Agenda Item Number

45

Date January 27, 2025

HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED WEST OF 2720 LOGAN AVENUE TO ISIDRO CUEVAS GARCIA FOR \$1,100.00

WHEREAS, the City of Des Moines, Iowa (“City”) is the owner of certain excess real estate located west of and adjoining 2720 Logan Avenue, Des Moines, Iowa, (hereinafter “Property”) more particularly described below; and

WHEREAS, Isidro Cuevas Garcia, owner of 2720 Logan Avenue, Des Moines, Iowa, which property adjoins the subject Property, has offered to the City of Des Moines, Iowa the purchase price of \$1,100.00 for the purchase of the Property in order to assemble said Property with his adjoining residential property, subject to a reservation of easements therein, and further subject to reservation of a permanent easement for storm sewer and surface water flowage and reservation of a no-build restriction, which will be included in the Quit Claim Deed from City to Buyer, which price reflects the restricted fair market value of said Property 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 January 13, 2025, by Roll Call No. 25-0029, 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 January 27, 2025, 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, 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 City of Des Moines real estate located west of and adjoining 2720 Logan Avenue, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein, and

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further subject to reservation of a permanent easement for storm sewer and surface water flowage and reservation of a no-build restriction which will be included in the Quit Claim Deed from City to Buyer, and said conveyance is hereby approved:

Grantee: Isidro Cuevas Garcia
Consideration: \$1,100.00
Legal Description:

THE WEST 20.0 FEET OF LOT 16, BLOCK 5, BREWER AND CO'S ADDITION TO GRANT PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 2,940 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.
8. 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 Voss.

APPROVED AS TO FORM:

/s/ Chas M. Cahill
 Chas M. Cahill, Assistant City Attorney

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

MOTION CARRIED APPROVED

Connie Breen 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 City Clerk