



Roll Call Number

25-0459

Agenda Item Number

42

Date March 24, 2025

HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED AT 515 SE 6TH STREET AND VACATED NORTH/SOUTH ALLEY RIGHT-OF WAY ADJOINING 515 SE 6TH STREET TO 509 SE 6TH, LLC FOR \$189,000.00

WHEREAS, the City of Des Moines, Iowa (“City”) is the owner of certain excess real estate locally known as 515 SE 6th Street, Des Moines, Iowa, and vacated north/south alley right-of-way adjoining 515 SE 6th Street, vacated by Ordinance No. 11,762 on January 6, 1992 (hereinafter collectively “Property”) more particularly described below; and

WHEREAS, 509 SE 6th, LLC, owner of 509 SE 6th Street, Des Moines, Iowa has offered to the City, the purchase price of \$189,000.00 for the purchase of said Property for assemblage with 509 SE 6th Street for development of a housing project, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which will be included in the Quit Claim Deed from City to Buyer, and further subject to the Buyer securing low-income housing tax credits, and closing on the conveyance only to occur in accordance with the City of Des Moines review and approval of a Site Plan for redevelopment on file with the Development Services Department, which price reflects the fair market value of the City Property as determined by an independent appraisal; and

WHEREAS, there is no known current or future public need or benefit for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property; and

WHEREAS, on March 10, 2025, by Roll Call No. 25-0353, 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 March 24, 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 of 515 SE 6th Street and vacated north/south alley right-of-way adjoining 515 SE 6th Street, Des Moines, Iowa, as described herein, are hereby overruled and the hearing is closed.



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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 515 SE 6th Street and vacated north/south alley right-of-way adjoining 515 SE 6th Street, Des Moines, Iowa, as legally described, to the grantee, and for the consideration identified below, subject to reservation of easements for all existing utilities in place, until such time that they are abandoned or relocated, which will be included in the Quit Claim Deed from City to Buyer, and further subject to the Buyer securing low-income housing tax credits, and closing on the conveyance only to occur in accordance with the City of Des Moines review and approval of a Site Plan for redevelopment on file with the Development Services Department, and said conveyance is hereby approved:

Grantee: 509 SE 6th, LLC
Consideration: \$189,000.00
Legal Description:

LOT 3, AND ALL OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY LYING EAST OF AND ADJOINING SAID LOT 3, ALL IN BLOCK 47, TOWN OF DE MOINE, OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 9,408 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.

(Council Communication No. 25-109)

Moved by Mandelbaum to adopt. Second by Gatto

APPROVED AS TO FORM:

/s/ Grant Hyland
Grant Hyland, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL. Includes signature of Connie Boesen, 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.
Signature of Laura Baumgartner, City Clerk