

Date February 26, 2007

**HEARING FOR THE CONVEYANCE OF CITY-OWNED PROPERTY AT
1417 12TH STREET, ACQUIRED BY TAX DEED, TO GREATER DES MOINES
HABITAT FOR HUMANITY FOR \$800**

WHEREAS, on May 9, 2005, by Roll Call No. 05-1137, the City Council approved the process to identify and acquire the tax sale certificates for vacant lots appropriate for development with housing; and

WHEREAS, on August 8, 2005, by Roll Call No. 05-1918, the City Council approved the request for the 2005 tax sale certificate for property located at 1417 12th Street; and

WHEREAS, on December 18, 2006, by Roll Call No. 06-2450, the City Council approved return of the tax sale certificate of purchase and acceptance of the tax sale deed for 1417 12th Street; and

WHEREAS, the City acquired the tax deed to the property in order to clean up the property and clean-up has been completed, so the property can now be sold to Greater Des Moines Habitat for Humanity for the development of affordable housing; and

WHEREAS, Greater Des Moines Habitat for Humanity has offered to the City of Des Moines the purchase price of \$800, reimbursement for City incurred costs, for the purchase of such City-owned property more specifically described below subject to the restriction that the property be used for construction and maintenance of a single family home for a low to moderate income buyer in accordance with City approved plans; and

WHEREAS, the Community Development Department has reserved HOME funds for the development that require the house be built according to the new construction standards that were received and filed by the City Council on March 6, 2006, by Roll Call No. 06-463; and

WHEREAS, on February 12, 2007, by Roll Call No. 07-232, it was duly resolved by the City Council that, in accordance with Iowa Code Section 364.7, the proposed conveyance of real property at 1417 12th Street, be set down for hearing on February 26, 2007, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

Date February 26, 2007

WHEREAS, in accordance with City Council direction, those interested in this 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, the objections to the proposed conveyance of this property, as described below, are hereby overruled and the hearing is closed.

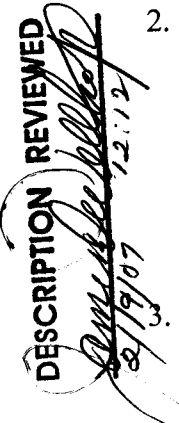
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this property at 1417 12th Street, more specifically described as follows:

Lot 17, Block A, Albert Krysher's Addition to North Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the sale and conveyance of such City-owned property to Greater Des Moines Habitat for Humanity for \$800 subject to the restriction that the property be used for construction and maintenance of a single family home in accordance with City approved plans, together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.
4. The Mayor is authorized and directed to sign the Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this 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 to be held until all necessary documentation for closing on HOME financing for the property is completed.
6. Subject to execution by the grantee of all required documents for closing on the HOME financing, the Real Estate Division Manager, in conjunction with Community Development staff, is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution, the affidavit of publication of the notice of this hearing and all required HOME documents, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.

DESCRIPTION REVIEWED

8/19/07 12:12



★ Roll Call Number

Agenda Item Number

52

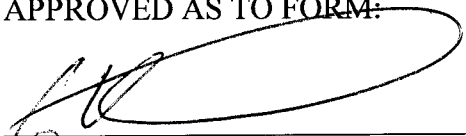
Date February 26, 2007

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

(Council Communication No. 07-105)

Moved by _____ to adopt.

APPROVED AS TO FORM:



Lawrence R. McDowell
Deputy City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

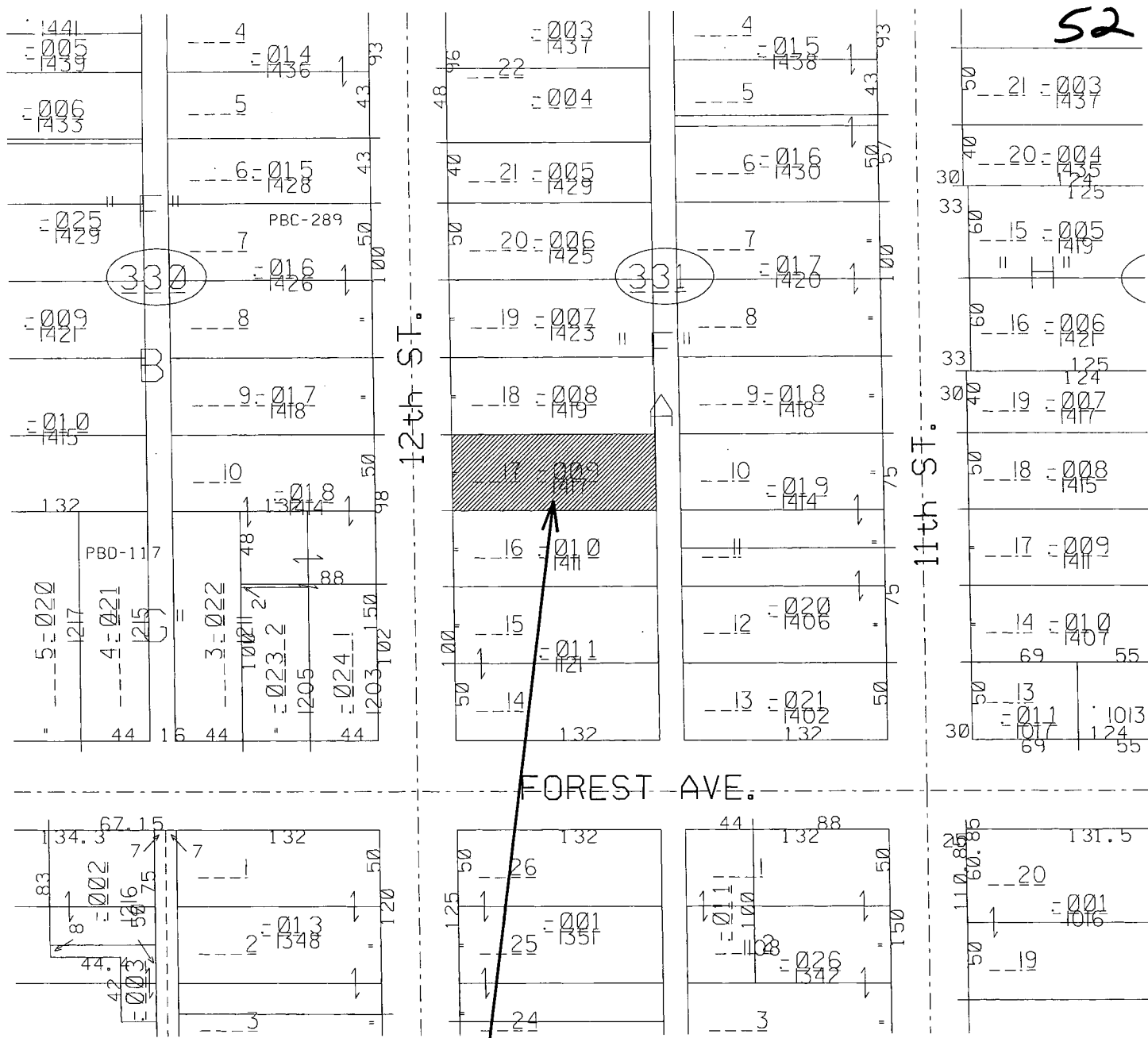
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

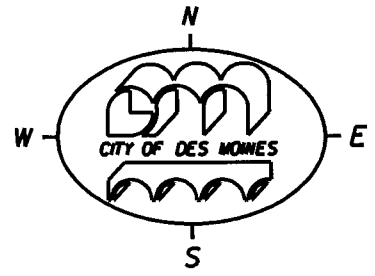
MOTION CARRIED APPROVED

Mayor

City Clerk



PROPERTY
LOCATION



PROPERTY DISPOSITION
1417 12TH STREET

ACTIVITY I.D. 32-2007-045