

Date February 20, 2023

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE
OF EXCESS CITY PROPERTY LOCALLY KNOWN AS 85 JEFFERSON
AVENUE TO LT LEON ASSOCIATES, INC. FOR \$15,000**

WHEREAS, the City of Des Moines, Iowa, (“City”) is the owner of certain excess real estate locally known as 85 Jefferson Avenue, Des Moines, Iowa, (hereinafter collectively “Property”), more particularly described below; and

WHEREAS, LT Leon Associates, Inc. has offered to the City of Des Moines, Iowa, the purchase price of \$15,000.00 for the purchase of said Property in order to redevelop the property with a commercial office building, which price reflects the appraised value of \$84,100.00 and a credit towards the purchase price in the amount of \$69,100.00 as an offset towards the cost of soil remediation required for development of the Property. The \$15,000.00 final amount due reflects the fair market value 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The City Council of the City of Des Moines, Iowa, proposes to sell certain City of Des Moines real estate locally known as 85 Jefferson Avenue, Des Moines, Iowa, as legally described, to the grantees, and for the consideration identified below, subject to the terms contained in the Offer to Purchase and further subject to a reservation of easements therein:

Grantee: LT Leon Associates, Inc.

Consideration: \$15,000.00

Legal Description: A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 (NW 1/4) OF SECTION 35, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA, BEING A PART OF BLOCK 4 OF ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 2 AND 3 OF SAID ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, EXCEPT THAT PORTION OF SAID LOTS 2 AND 3 CONTAINED IN THE CORRECTED PERMANENT EASEMENT FOR FLOOD PROTECTION LEVEE AS RECORDED IN BOOK 14609, PAGE 639 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA; AND

ALL OF LOTS 8 THROUGH 12 OF SAID ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES; AND

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THAT PORTION OF THE VACATED ALLEY LYING BETWEEN LOTS 2, 3, 12, AND 13 OF SAID ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, WHICH IS MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SW CORNER OF SAID LOT 3; THENCE N89°42'51"E ALONG THE SOUTH LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 100.27 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S01°09'08"W, A DISTANCE OF 14.21 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE S89°43'16"W ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 50.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE S89°55'41"W ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 49.87 FEET TO THE NORTHWEST CORNER OF SAID LOT 12; THENCE N00°07'43"W, A DISTANCE OF 14.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING THE POINT OF BEGINNING, SAID PORTION OF VACATED ALLEY;

ALL IN SAID ROLLINSON'S GARDEN ADDITION TO NORTH DES MOINES, SAID TRACT CONTAINING 36,560 SQUARE FEET, OR 0.84 ACRES.

2. A public hearing shall be held on March 6, 2023, 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

Please check the posted agenda in advance of the March 6, 2023 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

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. Proceeds from this sale will be deposited into the Economic Development Enterprise Fund, CM025033.

★ **Roll Call Number**

Agenda Item Number

21

Date February 20, 2023

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

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

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| MANDELBAUM | | | | |
| SHEUMAKER | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____ Mayor | | | | |

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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

