



Roll Call Number

22-0995

Agenda Item Number

24

Date June 27, 2022

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCALLY KNOWN AS 2754 PAYNE ROAD TO DAVID DRUSTRUP AND NIDIA CASTILLO VAZQUEZ FOR \$25,000

WHEREAS, on July 16, 2018, by Roll Call No. 18-1218, the City Council of the City of Des Moines, Iowa voted to authorize the City Manager to develop and implement an administrative plan for the voluntary acquisition of certain one and two-family residential flood damaged properties; and

WHEREAS, by the end of December 2018, the City of Des Moines had acquired a total of seventy-seven (77) properties from those owners who had chosen to participate in the buyout program, with the demolition and removal of all structures being completed by May of 2019; and

WHEREAS, it was subsequently determined by City Engineering, Public Works, and Neighborhood Services staff that five (5) of the acquired properties, all of which are located outside of the federal flood zone, including the property locally known as 2754 Payne Road, could be sold for redevelopment with residential housing, subject to a reservation of easements therein; and

WHEREAS, David Drustrup and Nidia Castillo Vazquez have offered to the City of Des Moines, Iowa (“City”) the purchase price of \$25,000.00 for the purchase of 2754 Payne Road (hereinafter “Property”) in order to construct a single-family home upon the Property, subject to the reservation of 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.

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

1. The City Council of the City of Des Moines, Iowa, proposes to sell certain excess City-owned property acquired as part of the 2018 Limited Voluntary Flood Buyout as legally described, to the grantees, and for the consideration identified below, subject to a reservation of easements therein:

Grantee: David Drustrup and Nidia Castillo Vazquez

Consideration: \$25,000.00

Legal Description: LOT 6, PAYNE ELMS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.45 ACRES (19,764 SQUARE FEET).

2. A public hearing shall be held on July 18, 2022, 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-



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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.

In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. July 14, 2022 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

Please check the posted agenda in advance of the July 18, 2022 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 General Fund, Unallocated: Org - ND405643.

Moved by Gatto to adopt. Second by Boesen.

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	6			1

T.M. Frankhu Cownie 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
Laura Baumgartner, Acting City Clerk