

★ Roll Call Number

23-0220

Agenda Item Number

23

Date February 20, 2023

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE  
OF EXCESS CITY PROPERTY LOCALLY KNOWN AS 1439 AND 1445  
MICHIGAN STREET TO TD & MD, L.L.C. FOR \$40,000**

**WHEREAS**, the City of Des Moines, Iowa, ("City") is the owner of certain excess real estate locally known as 1439 and 1445 Michigan Street, Des Moines, Iowa, (hereinafter collectively "Property"), more particularly described below; and

**WHEREAS**, TD & MD, L.L.C. has offered to the City of Des Moines, Iowa, the purchase price of \$40,000.00 for the purchase of said Property in order to redevelop the property with a commercial warehouse or redemption center business, which price 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 1439 and 1445 Michigan Street, 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: TD & MD, L.L.C.

Consideration: \$40,000.00

Legal Description: A TRACT OF LAND BEING A PART OF LOT 2, AND ALL OF LOTS 3 AND 4, BLOCK 7, CENTRAL PLACE, AN OFFICIAL PLAT, CITY OF DES MOINES, POLK COUNTY IOWA. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 7, CENTRAL PLACE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA; THENCE N00°08'41"W, 137.59 FEET ALONG THE WEST LINE OF LOTS 4, 3 AND 2 OF SAID BLOCK 7, AND ALONG THE EAST RIGHT-OF-WAY LINE OF MICHIGAN STREET AS IT IS PRESENTLY ESTABLISHED; THENCE N55°02'39"E, 3.21 FEET; THENCE S89°15'03"E, 128.28 FEET; THENCE S58°58'37"E, 39.64 FEET; THENCE S88°06'46"E, 21.53 FEET; THENCE N50°36'42"E, 25.62 FEET TO THE EAST LINE OF SAID LOT 2; THENCE S00°50'29"W, 84.81 FEET ALONG THE EAST LINE OF SAID LOTS 2 AND 3, TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE S06°17'06"W, 50.25 FEET ALONG THE EAST LINE OF SAID LOT 4, TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE N89°27'27"W, 199.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4, AND TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 0.629 ACRES OR 27,385 S.F. MORE OR LESS;

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SAID TRACT OF LAND BEING SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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.

Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL (7).

MOTION CARRIED APPROVED
T.M. Frankl Council 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