



Roll Call Number

23-1538

Agenda Item Number

23

Date November 6, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF EXCESS CITY PROPERTY LOCATED AT THE NORTHEAST CORNER OF EAST MARTIN LUTHER KING, JR. PARKWAY AND 10TH STREET ADJOINING 1001 RACCOON STREET TO ECOSOURCE, LLC FOR \$2,275

WHEREAS, on March 16, 1992, by Roll Call No. 92-871, the City Council of the City of Des Moines, Iowa voted to approve a land exchange agreement with Merchants Service Company and accept the warranty deed for a triangular piece of property located at the northeast corner of East Martin Luther King, Jr. Parkway and 10th Street adjoining 1001 Raccoon Street; and

WHEREAS, Ecosource, LLC, Darren Fife, Owner and Manager (hereinafter "Buyer"), the owner of 1001 Raccoon Street, Des Moines, Iowa, has offered to the City of Des Moines ("City") the purchase price of \$2,275.00 for the purchase of the portion of the triangular piece of property located at the northeast corner of East Martin Luther King, Jr. Parkway and 10th Street adjoining its property at 1001 Raccoon Street (hereinafter "Property"), for assemblage with 1001 Raccoon Street, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to the reservation of a no-build easement which will be included in the quit claim deed from the City of Des Moines to the Buyer; 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 a triangular piece of excess City property located at the northeast corner of East Martin Luther King, Jr. Parkway and 10th Street adjoining 1001 Raccoon Street, as legally described, to the grantee, and for the consideration identified below, subject to a reservation of easements therein, and further subject to the reservation of a no-build easement:

Grantee: Ecosource, LLC

Consideration: \$2,275.00

Legal Description: A TRIANGULAR PARCEL IN BLOCK 1, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, BEING A PART OF LOTS 2 AND 3, DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE SOUTH 16° (DEGREES) 00' (MINUTES) 00" (SECONDS) EAST ALONG THE WEST LINE OF SAID BLOCK 1, 89.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67°05'44" EAST, 102.80 FEET; THENCE SOUTH 73°41'08" WEST, 80.00 FEET TO THE WEST LINE OF SAID LOT 3; THENCE NORTH 16°00'00" WEST ALONG THE WEST LINE OF SAID BLOCK 1, 65.00 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY



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OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 2599.96 SQUARE FEET OR 0.060 ACRES;

SAID PARCEL ABOVE ALSO DESCRIBED AS DISPOSAL PARCEL B SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 15696 PAGE 382 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA.

- 2. A public hearing shall be held on November 20, 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.
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 Southeast Connector Project ST256, Org: C038EG99.

Moved by Gatto to adopt. Second by Boeson.

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill, Assistant City Attorney

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

MOTION CARRIED APPROVED
J. M. Franklin Cownie 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
Laura Baumgartner, City Clerk