

May 19, 2014

To: Mayor Bemrich and City Council
From: David Fierke, City Manager
**Subject: Property Disposition:
City-owned parcel adjacent to Josephson
Manufacturing Company**



ACTION: For vote Monday, May 27, 2014

Brief History

In 1985, the City acquired property from Fort Dodge Iron and Metal in order to construct a section of trail. There remains residual property that was not needed for the project. The adjacent property owner has requested that they be allowed to purchase this property in order to combine it with their existing property in preparation for a building expansion. (see attached letter).

Analysis of Issue

Disposing of this property would put it back on the tax rolls and allow the adjacent owner to expand the site of their business, Josephson Manufacturing Company.

As part of the sale, the company would be required to put up a fence and screening as a buffer for the existing trail.

Budget Impact

The adjacent property owner has offered \$16,000 to purchase this parcel. Funds received would be placed back into the account where the original purchase was made.

The general fund would realize income from the taxes generated from this property.

Strategic Plan Impact

Policy C.1.5: The rehabilitation, reuse, or removal of currently unused or underutilized structures, sites and infrastructure shall be accomplished.

Policy C.1.6: City government shall be an active participant, facilitator and partner in the creation of large and small business and industrial development opportunities capitalizing upon the unique human and economic resources of the area.

Existing Plan Impact

The disposal of this property is consistent with the Envision 2030 Plan.

Subcommittee or Commission Review / Recommendation

None

Staff Conclusions / Recommendations

Being no additional proposals, following public hearing, staff recommends disposing of this property to JMC Real Estate LLP for \$16,000.

Alternatives

The only alternative would be to not dispose of this property, which is not recommended.

Implementation and Accountability

If this resolution is approved, staff will have closing documents prepared and dispose of this property.

Signed

Approved



Vickie L. Reeck
Community Development Manager

David R. Fierke
City Manager

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE OFFERING OF PROPERTY FOR SALE
AND METHOD OF SELECTING A DEVELOPER FOLLOWING PUBLIC
HEARING**

WHEREAS, the City is proposing to dispose of the following described real estate parcel:

A PARCEL OF LAND IN BLOCKS 31, 47, AND 135 INCLUDING ADJACENT STREETS IN TOWN COMPANY'S ADDITION, ALSO PART OF FIRST AVENUE NORTH AND NORTH 2ND STREET ADJACENT TO BLOCK 6 ORIGINAL TOWN ALL IN FORT DODGE, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 168.00' WEST OF THE NORTHEAST CORNER OF BLOCK 6 ORIGINAL TOWN OF FORT DODGE; THENCE N 00°22'45" W 158.28' TO A POINT ON A LINE 40.0' NORMALLY MEASURED SOUTHEASTERLY FROM THE CENTERLINE OF A NOW ESTABLISHED CITY OF FORT DODGE WALKING TRAIL; THENCE UPON SAID 40.0' LINE ALONG THE FOLLOWING COURSES, S 56°00'11" W 225.60'; THENCE SOUTHWESTERLY 226.16' ALONG A 995.46' RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD BEARING S 49°29'40" W 225.67'; THENCE SOUTHWESTERLY 115.69' ALONG A 216.50' RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD BEARING S 27°40'40" W 114.32'; THENCE SOUTHERLY 280.67' ALONG A 1304.50' RADIUS CURVE CONCAVE EASTERLY WITH A CHORD BEARING S 06°12'22" W 280.13'; THENCE S 00°02'33" W 20.49' TO A POINT ON THE NORTH LINE OF CENTRAL AVENUE AND BEING THE LAST POINT ON SAID 40.0' LINE; THENCE S 90°00'00" E 63.89' ALONG SAID NORTH LINE; THENCE NORTHEASTERLY 294.60' ALONG A 491.00' RADIUS CURVE CONCAVE SOUTHEASTERLY AND NOT TANGENT TO THE PRECEDING COURSE WITH A CHORD BEARING N 19°10'45" E 290.20'; THENCE N 36°22'05" E 32.20' TO A POINT ON THE SOUTH LINE OF VACATED FIRST AVENUE NORTH; THENCE N 90°00'00" E 113.80' ALONG SAID SOUTH LINE OF VACATED FIRST AVENUE NORTH; THENCE N 82°14'03" E 18.56' ALONG THE SOUTH LINE OF THE CURRENTLY ESTABLISHED FIRST AVENUE NORTH; THENCE N 89°55'43" E 60.00' ALONG SAID ESTABLISHED SOUTH LINE; THENCE N 00°01'54" E 70.03' TO THE NORTH LINE OF THE CURRENTLY ESTABLISHED FIRST AVENUE NORTH; THENCE S 89°55'43" W 60.00' ALONG THE SAID NORTH LINE OF FIRST AVENUE NORTH TO THE SOUTHWEST CORNER OF BLOCK 6 ORIGINAL TOWN OF FORT DODGE; THENCE N 00°22'45" W 143.50' ALONG THE WEST LINE OF SAID BLOCK 6; THENCE S 89°19'25" E 132.05' ALONG THE NORTH LINE OF SAID BLOCK 6 TO THE POINT OF BEGINNING SAID PARCEL CONTAINS 2.33 ACRES SUBJECT TO EASEMENTS OF RECORD.

NOTE: FOR THE PURPOSE OF THIS SURVEY THE NORTH LINE OF CENTRAL AVENUE IS ASSUMED TO BEAR N 90°00'00" E.

AND ALSO: LOT 5 OF BLOCK 6 OF ORIGINAL TOWN OF FORT DODGE CONTAINING 0.20 ACRES.

and,

WHEREAS, the City has no use for said real estate except as hereinafter set out;
and,

WHEREAS, a public hearing was held on the 27th day of May, 2014 at 6:00 p.m. pursuant to notice on such disposal pursuant to Section 364.7 of the Code of Iowa; and,

WHEREAS, the following proposal was received for the purchase of the property:

JMC Real Estate LLP, \$16,000;

and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

1. That objections, if any, presented at the public hearing be and the same are hereby overruled.
2. That said property be sold "as is" to JMC Real Estate LLP.
3. That as a condition of the sale, JMC Real Estate LLP shall install fencing and live screening adjacent to the existing trail as a buffer between the trail and their project area.

PASSED AND APPROVED by the Fort Dodge City Council this _____ day of _____, 2014.

AYES: _____
 NAYS: _____
 OTHER: _____

CITY OF FORT DODGE, IOWA

By: _____
Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

STATE OF IOWA, WEBSTER COUNTY, ss:

On this ____ day of _____, 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared Matt Bemrich and Jeff Nemmers to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its City Council; and that the said Mayor and City Clerk as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Notary Public

PLAT OF SURVEY

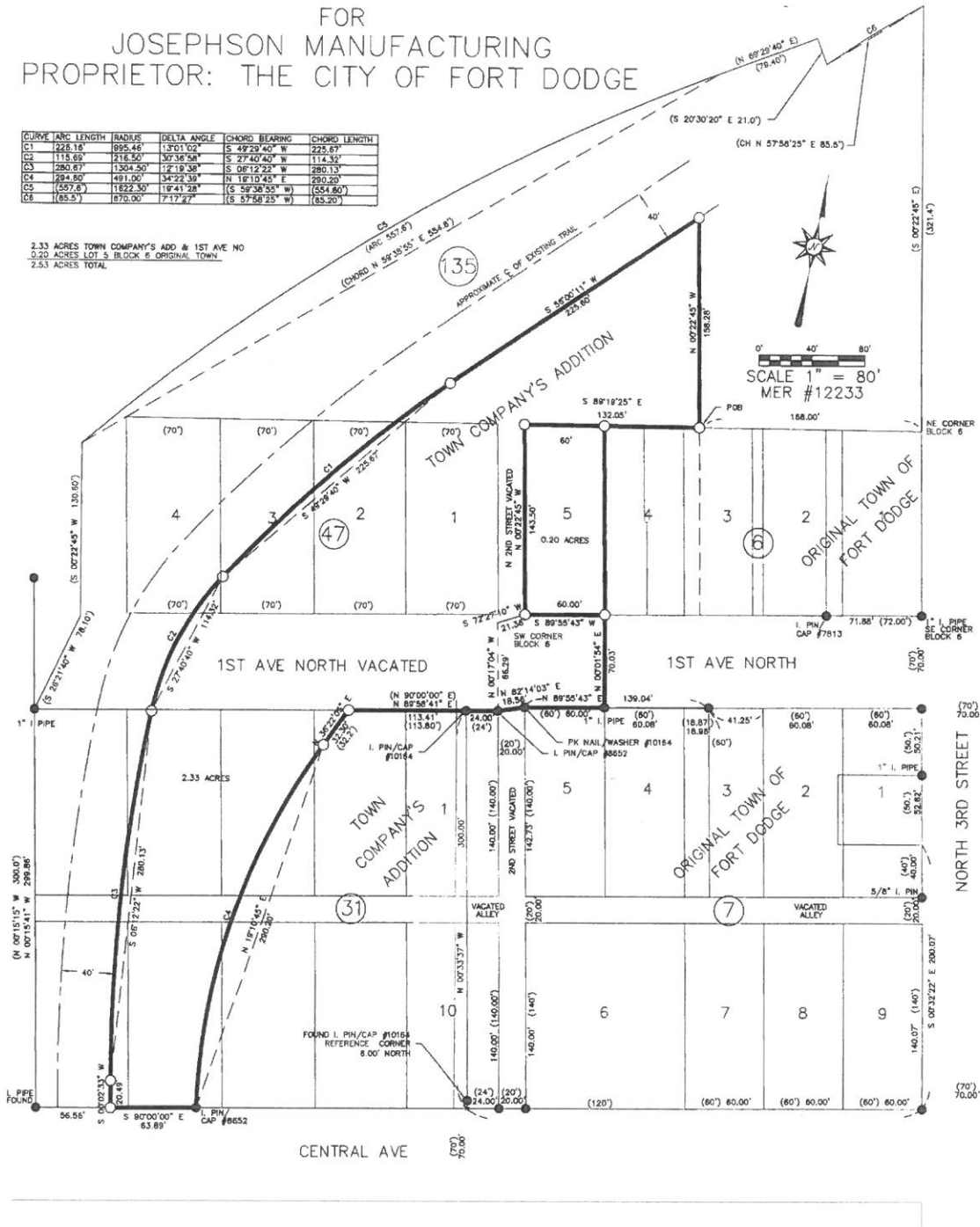
FOR

JOSEPHSON MANUFACTURING

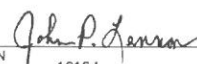
PROPRIETOR: THE CITY OF FORT DODGE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	228.16'	895.46'	1°30'02"	S 49°29'40" W	225.67'
C2	118.89'	216.50'	3°36'58"	S 27°40'40" W	114.32'
C3	280.67'	1324.50'	1°21'38"	S 96°12'22" W	280.13'
C4	284.80'	481.00'	34°22'38"	N 18°10'45" E	290.29'
C5	(557.6')	1822.30'	18°41'28"	(S 59°30'55" W)	(554.80')
C6	(85.3')	(870.00')	7°17'27"	(S 57°58'25" W)	(85.20')

2.33 ACRES TOWN COMPANY'S ADD & 1ST AVE NO
 0.20 ACRES LOT 5 BLOCK 6 ORIGINAL TOWN
 2.53 ACRES TOTAL



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.


March 14, 2014
(DATE)

JOHN P. LENNON
 LICENSE NUMBER 10164
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014
 PAGES COVERED BY THIS SEAL, 2

PROPERTY CORNERS

- SET 5/8"x24" REBAR #10164 ○
- SET NAIL W/WASHER #10164 ⊙
- CORNERS FOUND 5/8" I.PIN OR AS NOTED ●

RECORD DIMENSIONS (100.00')
 MEASURED DIMENSIONS 100.00'

Vickie Reeck

From: Andy Josephson [ajosephson@jmcsmfg.net]
Sent: Tuesday, May 06, 2014 9:40 AM
To: Vickie Reeck
Cc: John Josephson; Erik Josephson
Subject: Re: JMC land purchase from the City of Fort Dodge

That will work

Sent from my iPhone

On May 6, 2014, at 9:36 AM, "Vickie Reeck" <vreeck@fortdodgeiowa.org> wrote:

Thanks Andy.

Just as clarification, the City will require a fence and live screening adjacent to the existing trail as a buffer to your project area.

Let me know if this is acceptable.

Vickie

From: Andy Josephson [<mailto:ajosephson@jmcsmfg.net>]
Sent: Monday, May 05, 2014 5:15 PM
To: Vickie Reeck
Cc: John Josephson; Erik Josephson
Subject: JMC land purchase from the City of Fort Dodge

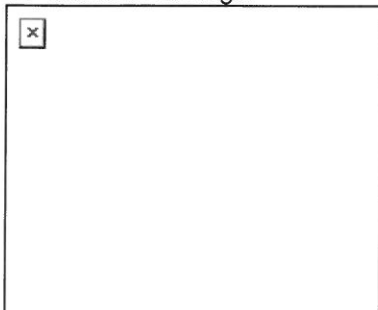
Hey Vickie,

Please consider this a formal offer from us at JMC of \$16,000 for the land adjacent to the Ulstad property that we need to complete our project.

Please let me know if you need anything else.

Thanks,

Andy Josephson
VP-General Manager



Phone: 515-573-8049 Ext. 233
Direct: 515-574-4813
Cell: 515-302-0241
Fax: 515-573-3513
www.josephsonmfg.com