

Date April 7, 2008

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,094 passed June 3, 2002 by amending paragraph (e) of Section 2-201 thereof, relating to the powers and duties of the city manager to execute real estate documents on behalf of the city",

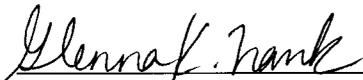
presented.

(Council Communication No. 08-199)

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, 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.

_____ City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,094 passed June 3, 2002 by amending paragraph (e) of Section 2-201 thereof, relating to the powers and duties of the city manager to execute real estate documents on behalf of the city.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,094 passed June 3, 2002 is hereby amended by amending paragraph (e) of Section 2-201 relating to the powers and duties of the city manager to execute real estate documents on behalf of the city, as follows:

Sec. 2-201. Powers and duties.

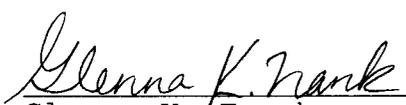
(e) The city manager or his or her designee may, in his or her discretion, execute the following types of real estate documents, for and on behalf of the city, provided that such documents have been reviewed and approved by the legal department:

- (1) Documents releasing tenant's interests, or involving other temporary property interests, including maintain vacancy agreements and rental agreements, for and on behalf of the city, in support of the construction, demolition, repair or replacement of public improvements, provided that the compensation paid by the city under such real estate documents for such releases of interest does not exceed \$10,000.00; and provided that such documents shall be subject to review and approval by the legal department.
- (2) Documents involving initial and renewal lease agreements for terms of less than three (3) years for the lease of city-owned property that is not needed for municipal purposes during the lease term; and
- (3) Acceptance of any deed, easement, covenant, or other interest in real estate conveyed to the city

at no cost, as a condition of receiving city approval of any plat of survey, site plan or other development proposal.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Glenna K. Frank
Assistant City Attorney