

Date November 9, 2009

RESOLUTION ESTABLISHING FAIR MARKET VALUE AND AUTHORIZING VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 4315 S.E. 14TH STREET FROM PHYLLIS AND HAROLD ROGERS FOR REDEVELOPMENT IN THE S.E. 14TH STREET AND ARMY POST ROAD AREA FOR \$210,000

WHEREAS, on July 9, 2007, by Roll Call Nos. 07-1320 and 07-1321, the City Council received, filed and referred to the City Manager letters from the Southeast 14th Street Steering Committee and Ward 4 Mobile Home Park Committee, which letters addressed objectives and actions for revitalizing the Southeast 14th Street Corridor and outlined strategies for mobile home park redevelopment; and

WHEREAS, following City staff review, the City Manager, by letter to the City Council dated December 12, 2007, provided recommendations for Southside revitalization including mobile home park redevelopment; and

WHEREAS, on July 28, 2008, by Roll Call No. 08-1372 the City Council authorized the City Manager to work in cooperation with Polk County and Neighborhood Development Corporation to research potential redevelopment of property located at 4315 S.E. 14th Street; and

WHEREAS, the above property has been appraised by an independent appraisal firm and based upon the appraisal, the suggested fair market value of the property is as follows:

Titleholder: Phyllis and Harold Rogers, d/b/a P & H Properties
Property Location: 4315 S.E. 14th Street, Des Moines, IA 50310
Property Interest(s) to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$210,000

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

That the valuation listed and identified above as "Suggested Fair Market Value" is hereby established as the fair market value of the property listed herein.

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the property through gift or negotiation based upon the approved fair market value.

If the property owners agree to convey the Property to the City in accordance with the general terms of the Offer to Purchase Real Estate and Acceptance ("Offer") on file in the City Clerk's Office and in an amount based on the established fair market value, including an approved administrative settlement, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out these transactions and to pay any unforeseen additional costs

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certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete these transactions in accordance with the terms of the approved Offer and standard real estate practices and state law requirements.

That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all revisions to the Offer, the real estate documents and the closing documents prior to closing.


That the City Clerk is hereby authorized and directed to endorse upon the Offer and real estate documents approved by the Legal Department the approval and acceptance of this Council, the Mayor is authorized and directed to sign all necessary real estate documents, and the City Clerk is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall proceed to closing in accordance with the terms of the approved Offer and standard real estate practices.

That the Real Estate Division Manager is hereby authorized and directed to execute such agreements approved by the Legal Department necessary to enable closing.

(Council Communication No. 09-784)

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 Lawrence R. McDowell  
 Deputy City Attorney

*BW*

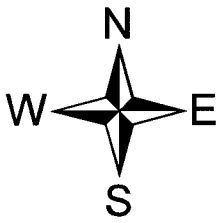
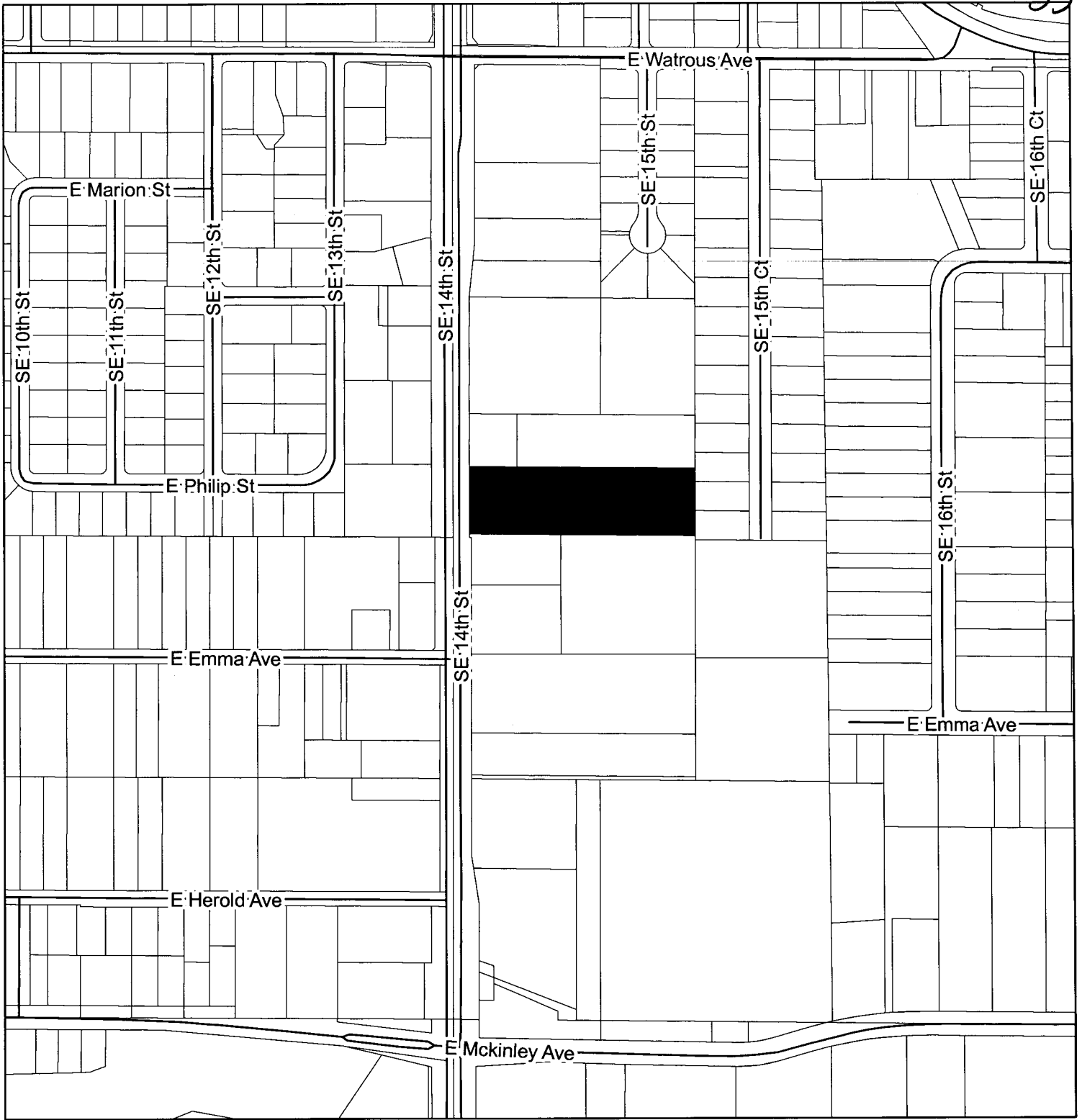
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	
_____ Mayor				

**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



**Legend**

 PROJECT LOCATION

**ACQUISITION -  
4315 S.E. 14TH STREET**