

July 23, 2012

Date

RESOLUTION TO AUTHORIZE VOLUNTARY ACQUISITION AND TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED AT 121 LINCOLN PLACE DRIVE FROM THOMAS J. AND MICHELLE M. HOLLISTER FOR THE LINCOLN PLACE STORM WATER IMPROVEMENTS PROJECT

WHEREAS, the City Public Works Director and staff recommend voluntary acquisition of the real property locally known as 121 Lincoln Place Drive, Des Moines, for the Lincoln Place storm water improvements project; and

WHEREAS, the City’s Real Estate Division suggests the amount listed below as fair market value for said property, based on independent appraisal and negotiated settlement with the property owners.

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

1. That the valuation listed and identified below as “Suggested Fair Market Value” is hereby established as the fair market value of the property listed herein.
2. That voluntary acquisition of the real property locally known as 121 Lincoln Place Drive, Des Moines is hereby authorized and approved.
3. That the documents conveying real property to the City of Des Moines, as on file in the office of the City Clerk and as recommended for approval and acceptance by City staff, be and are hereby approved and accepted as follows:

Property Owner:	Thomas J. and Michelle M. Hollister
Property Location:	121 Lincoln Place Drive, Des Moines, IA 50312-4503
Document Type:	Offer to Purchase Real Estate and Acceptance; Warranty Deed
Suggested Fair Market Value:	\$250,000 (Plus Closing Costs)

4. That the Mayor is hereby authorized and directed to execute the Offer to Purchase Real Estate and Acceptance, and the City Clerk is hereby authorized and directed to endorse upon the Real Estate documents listed above the approval and acceptance of this Council and is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

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5. That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transaction and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete the transaction in accordance with standard real estate practices.
6. That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all closing documents prior to closing.
7. That the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

(Council Communication No. 12-396)

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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