

Date February 11, 2013

APPROVAL OF ASSIGNMENT FROM POLK COUNTY, IOWA, TO THE IOWA NATURAL HERITAGE FOUNDATION OF CONTRACT FOR THE PURCHASE OF EXCESS CITY-OWNED PROPERTY

WHEREAS, on November 20, 2006, by Roll Call No. 06-2288, the City Council approved acquisition of real property located northeast of NE 80th Street and NE 126th Avenue in Polk County for wetland mitigation purposes for the Airport Runway 13R/31L Project; and

WHEREAS, it has been determined that this property is no longer needed by the City or by the Des Moines Airport Authority for wetland mitigation purposes; and

WHEREAS, on September 10, 2012, by Roll Call No. 12-1458, the City Council approved an Offer to Purchase dated September 4, 2012 for the sale of the property to Polk County, Iowa; and

WHEREAS, the Polk County Board of Supervisors, at a meeting on January 29, 2013, assigned the Purchase Agreement to the Iowa Natural Heritage Foundation; and

WHEREAS, the Iowa Natural Heritage Foundation acknowledges that the purchase is for the benefit of Polk County to be maintained and used for public conservation purposes as authorized by Iowa Code chapter 350 and accepts the assignment with the restriction.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached Assignment from Polk County, Iowa, to the Iowa Natural Heritage Foundation of the Offer to Purchase between the City of Des Moines and Polk County, Iowa, is hereby approved and accepted.

1. The Mayor is authorized and directed to sign a Quit Claim Deed for conveyance to the Iowa Natural Heritage Foundation, and the City Clerk is authorized and directed to attest to the Mayor's signature.
2. Upon proof of payment of the consideration and expenses listed in the Offer to Purchase, the City Clerk is authorized and directed to forward the original of the Deed, together with a certified copy of this resolution, to the Real Estate Division of the Engineering Department.
3. The Real Estate Division Manager is authorized and directed to deliver the original of the Deed, together with a certified copy of this resolution, to the Iowa Natural Heritage Foundation.
4. The proceeds from the sale of this property will be paid to the Des Moines Airport Authority.

★ **Roll Call Number**

Agenda Item Number

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Date February 11, 2013

(Council Communication No. 13 - 052)

Moved by _____ to adopt.

APPROVED AS TO FORM:



David A. Ferree, Assistant City Attorney

rew

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
KIERNAN				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

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.

Mayor

City Clerk