

Date May 9, 2016

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM THE ESTATE OF CEDRIC EUGENE RUBY FOR VOLUNTARY ACQUISITION OF PROPERTY AT 1605 34<sup>TH</sup> STREET FOR THE CLOSES CREEK WATERSHED IMPROVEMENTS PROJECT**

**WHEREAS**, there is a City storm sewer running underneath the house located at 1605 34<sup>th</sup> Street that is planned to be replaced in the next five years with a larger storm sewer as part of the Closes Creek Watershed Improvements Project; and

**WHEREAS**, the house has significant foundation damage and is currently vacant, and the property owners, the Estate of Cedric Eugene Ruby, have agreed to sell said property to the City of Des Moines for the fair market value of the property as determined by an independent appraisal; and

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0663, the City Council of the City of Des Moines, Iowa, continued this item to allow referral to the City Manager's office for review and recommendation regarding said independent appraisal.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that the following documents conveying a fee simple property interest to the City, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and on file in the office of the City Clerk, be and are hereby approved and accepted as follows:

- Property Owner: Estate of Cedric Eugene Ruby
- Property Location: 1605 34<sup>th</sup> Street, Des Moines, Iowa 50310
- Document Type: Offer to Purchase Real Estate and Acceptance;  
Court Officer Deed
- Consideration: \$142,000 (Plus Closing Costs)

That the Finance Director is authorized and directed to issue checks to pay any costs certified by the Legal Department and the Engineering Department, and the Real Estate Division Manager is authorized and directed to obtain the checks, if any, needed to carry out this transaction and to deliver them to the payee(s).

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.

That the City Clerk is hereby authorized and directed to endorse upon the Court Officer Deed the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Offer to Purchase and all necessary real estate documents associated with this acquisition; 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 standard real estate practices.



Roll Call Number

Agenda Item Number

11

Date May 9, 2016

(Council Communication No. 16- 252)

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

APPROVED AS TO FORM:

*[Signature]*  
Lisa A. Wieland, Assistant City Attorney

*PRW*

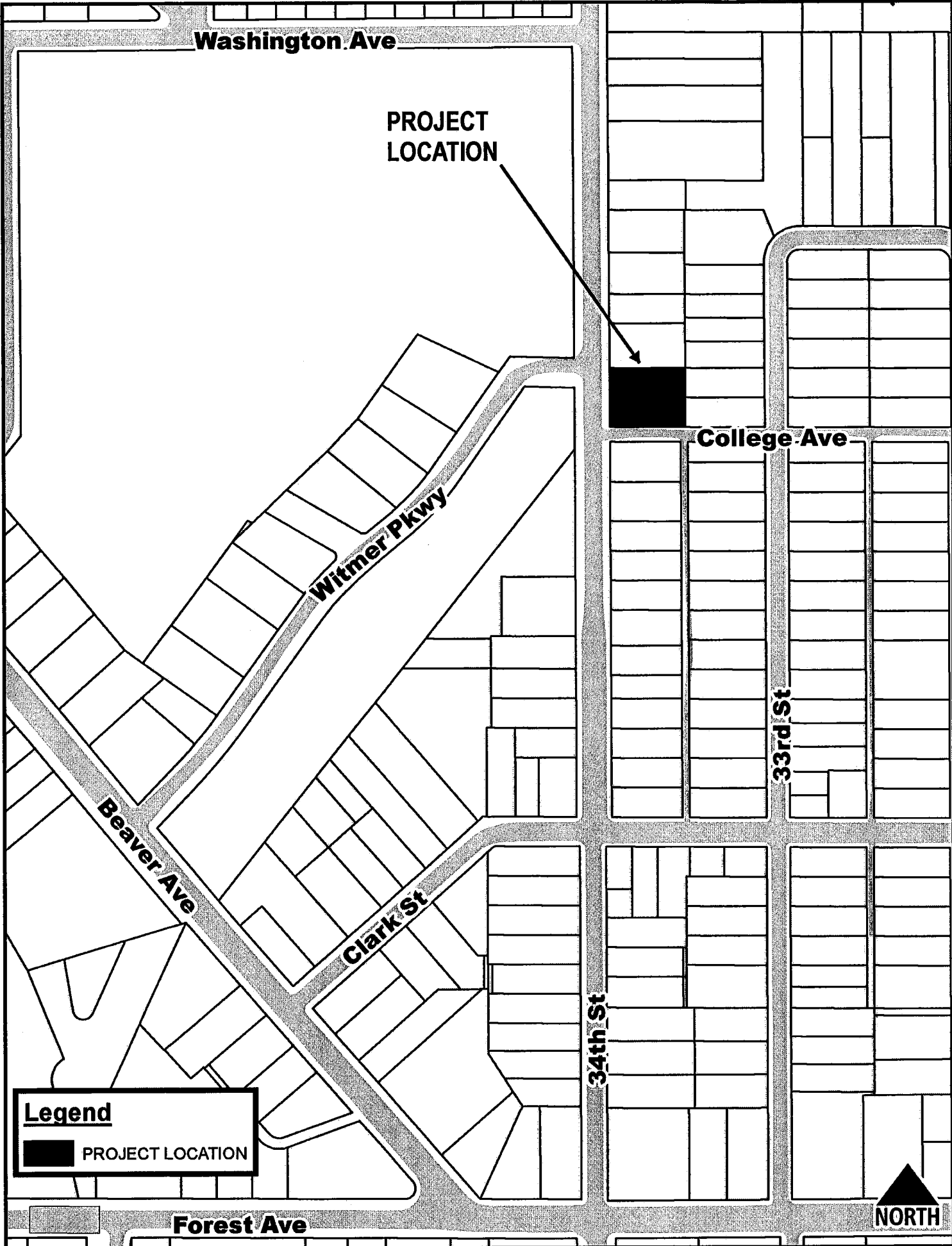
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

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.

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Washington Ave

PROJECT LOCATION

College Ave

Witmer Pkwy

Beaver Ave

Clark St

33rd St

34th St

Legend

PROJECT LOCATION

Forest Ave

NORTH