

Date May 22, 2017

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM BENSKIN, INC. FOR THE MACRAE PARK IMPROVEMENTS PROJECT AND DEDICATION OF SAID REAL ESTATE AS PARKLAND IN MACRAE PARK

WHEREAS, the MacRae Park Improvements Project (“Project”) will include the rebuilding of the park’s road to include a bike and pedestrian loop along with pull off parking areas; and

WHEREAS, Benskin, Inc. f/k/a Benskin Bros., Inc. owns property located at 1202 Thomas Beck Road and has agreed to convey a portion of the property to the City of Des Moines, Iowa (“City”) by Warranty Deed and also grant the City a Temporary Easement for Construction and Construction-Related Activities, which property interests are needed for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents conveying said property interests to the City, recommended for approval and acceptance by the Real Estate Division of the Engineering Department, be and are hereby approved and accepted as follows:

- Property Owner: Benskin, Inc. f/k/a Benskin Bros., Inc.
- Property Location: 1202 Thomas Beck Road, Des Moines, Iowa 50315
- Document Type: Offer to Purchase Real Estate and Acceptance; Warranty Deed; Temporary Easement for Construction and Construction-Related Activities
- Consideration: \$1,240.00 (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 Offer to Purchase, Warranty Deed and Temporary Easement for Construction and Construction-Related Activities the approval and acceptance of this Council; the Mayor is authorized and directed to sign 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.

That, upon closing, the real property described in the attached Warranty Deed be and is hereby dedicated for use as parkland and to be included as part of MacRae Park.

★ Roll Call Number

Agenda Item Number

12

Date May 22, 2017

(Council Communication No. 17-441)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			
				Mayor

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