

Date November 6, 2017

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM CAPITAL AUTO PARTS COMPANY FOR VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 3800 VANDALIA ROAD FOR THE SE AGRIBUSINESS PARK

WHEREAS, Capital Auto Parts Company owns property located at 3800 Vandalia Road ("Property") and has offered to sell said property to the City of Des Moines for the SE AgriBusiness Park; and

WHEREAS, City staff has negotiated a purchase price of \$720,000.00 for the voluntary acquisition of the Property, which is equal to the fair market value of the Property, as determined by an independent appraisal obtained by the City; and

WHEREAS, the City's voluntary purchase of the property is subject to an environmental review of the property, including soil and groundwater sampling to determine if any contamination exists, and if the environmental testing results are favorable, the City will proceed with closing; and

WHEREAS, prior to closing on the Property, Capital Auto Parts Company will be required to remove all personal property, vehicles, tires, parts, junk and debris from the Property at their sole cost and expense, and without any relocation assistance from the City; and

WHEREAS, after closing, the City will proceed with demolition of all site improvements and will market the property for redevelopment in accordance with the goals of the SE AgriBusiness Park Urban Renewal Area.

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: Capital Auto Parts Company a/k/a Capitol Auto Parts, Inc. a/k/a Capitol Auto Parts
Property Location: 3800 Vandalia Road, Des Moines, Iowa 50317
Document Type: Offer to Purchase Real Estate and Acceptance; Warranty Deed
Consideration: \$720,000.00 (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.

★ **Roll Call Number**

Agenda Item Number

11 B

Date November 6, 2017

That the Chief Deputy City Clerk is hereby authorized and directed to endorse upon the Warranty Deed the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Offer to Purchase Real Estate and Acceptance and all necessary real estate documents associated with this acquisition; and the Chief Deputy 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.

(Council Communication No. 17- 778)

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Lisa A. Wieland, Assistant City Attorney

PSW

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