

Date July 23, 2018

**RESOLUTION TO AUTHORIZE VOLUNTARY ACQUISITION AND TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FROM VARIOUS PROPERTY OWNERS FOR THE EASTER LAKE WATERSHED IMPROVEMENTS PROJECT**

**WHEREAS**, the City’s Engineering Department has determined that the following properties are needed for completion of the Easter Lake Watershed Improvements Project; and

**WHEREAS**, the City’s Real Estate Division negotiated purchase prices as listed below for the voluntary acquisition of said properties.

**WHEREAS**, the City’s voluntary purchase of said properties is contingent upon the City purchasing all three properties.

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

1. That the City’s voluntary purchase of the properties listed below for the Easter Lake Watershed Improvements Project in consideration of the purchase prices listed below is hereby authorized and approved.
2. 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: Gary L. O’Donnell and Sheila A. O’Donnell  
Property Location: 2600 Driftwood Avenue, Des Moines, Iowa 50320  
Document Type: Offer to Purchase Real Estate and Acceptance;  
Warranty Deed  
Purchase Price: \$149,400.00 (Plus Closing Costs)

Property Owner: Mark Murray  
Property Location: 2608 Driftwood Avenue, Des Moines, Iowa 50320  
Document Type: Offer to Purchase Real Estate and Acceptance;  
Warranty Deed  
Purchase Price: \$160,000.00 (Plus Closing Costs)

Property Owner: Mitchell R. Parker, Trustee of the Parker Family Trust  
dated January 5, 2015, and Dorothy L. Parker  
Property Location: 2612 Driftwood Avenue, Des Moines, Iowa 50320  
Document Type: Offer to Purchase Real Estate and Acceptance;  
Warranty Deed; Affidavit of Good Faith Purchaser of  
Property from Trust  
Purchase Price: \$145,050.00 (Plus Closing Costs)

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3. That the Mayor is hereby authorized and directed to execute the Offers to Purchase Real Estate and Acceptance and the Warranty Deeds; and, following the satisfaction of all contingencies and approval as to form by the City's Legal Department, the Mayor and/or City Clerk, as applicable, are hereby authorized and directed to endorse upon any and all other related documents the approval and acceptance of this Council; 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.
4. 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.
5. 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.

(Council Communication No. 18- 377 )

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

APPROVED AS TO FORM:

  
 Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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