



Date August 19, 2019

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM ELAINE CONSTANTINE FOR VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 3418 5TH AVENUE AND FROM RONALD AND KATELYN MILLER FOR VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 3500 5TH AVENUE FOR THE NORTH SIDE LIBRARY PARKING LOT EXPANSION PROJECT

WHEREAS, a fee interest in the properties located at 3418 5th Avenue and 3500 5th Avenue (collectively "Properties") is needed by the City of Des Moines ("City") for the North Side Library Parking Lot Expansion Project ("Project"); and

WHEREAS, Elaine Constantine has offered to voluntarily sell her property at 3418 5th Avenue to the City for the purchase price of \$120,000.00, which is equal to the fair market value of said property, as determined by the City's Real Estate Division; and

WHEREAS, Ronald and Katelyn Miller have offered to voluntarily sell their property at 3500 5th Avenue to the City for the purchase price of \$125,000, which is equal to the fair market value of said property, as determined by the City's Real Estate Division.

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

- 1. That the valuation listed and identified below as "Suggested Fair Market Value" is hereby established as the fair market value of the property listed herein.
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: Elaine Constantine
Property Location: 3418 5th Avenue, Des Moines, Iowa 50313
Document Type: Voluntary Offer to Purchase Real Estate and Acceptance; Warranty Deed
Suggested Fair Market Value: \$120,000.00 (Plus Closing Costs)

Property Owner: Ronald and Katelyn Miller
Property Location: 3500 5th Avenue, Des Moines, Iowa 50313
Document Type: Voluntary Offer to Purchase Real Estate and Acceptance; Warranty Deed
Suggested Fair Market Value: \$125,000.00 (Plus Closing Costs)

- 3. That the Mayor is hereby authorized and directed to execute the Offer to Purchase Real Estate and Acceptance and the Warranty Deed; and, following 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



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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. 19-367)

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

APPROVED AS TO FORM:

[Signature]
Lisa A. Wieland, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, TOTAL, MOTION CARRIED.

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