



**Roll Call Number**

08-1173

**Agenda Item Number**

14

**Date** July 14, 2008

Developer's Easements – Merle Hay Mall Traffic Signal Improvements: Page 1

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FOR TRAFFIC SIGNAL IMPROVEMENTS LOCATED AT MERLE HAY ROAD NORTH OF DOUGLAS AVENUE AND SOUTH OF MADISON AVENUE**

WHEREAS, on June 9, 2008 by Roll Call No. 08-963, the City approved the Private Construction Contract between Baker Electric, Inc. and Merle Hay Mall for traffic signal improvements on Merle Hay Road north of Douglas Avenue and south of Madison Avenue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents conveying property interests, 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:    | Merle Hay Mall  |
| Property Location: | Merle Hay Mall  |
| Document Type:     | Permanent Easement for Traffic Signal and Street Lighting Systems |
| Consideration:     | \$ 1.00 plus closing costs  |
| Property Owner:    | Bankers Trust Company   |
| Property Location: | Merle Hay Mall  |
| Document Type:     | Permanent Easement for Traffic Signal and Street Lighting Systems |
| Consideration:     | \$ 1.00 plus closing costs  |
| Property Owner:    | Midwest Radio, Inc.   |
| Property Location: | Merle Hay Mall  |
| Document Type:     | Permanent Easement for Traffic Signal and Street Lighting Systems |
| Consideration:     | \$ 1.00 plus closing costs  |

That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transactions 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 obtain the checks, if any, needed to carry out these transactions and to deliver them to the payees.

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.



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That the City Clerk is hereby authorized and directed to endorse upon the Easements the approval and acceptance of this Council and is further authorized and directed to deliver the said Easements to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank,  
Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED				APPROVED

T. M. Franklin  
Mayor

**CERTIFICATE**

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.

Diane Rauh City Clerk