



Roll Call Number

08-1746

Agenda Item Number

23

Date October 13, 2008

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RESOLUTION TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED AT 941 8th STREET AND 928 6th AVENUE, FOR THE CROCKER STREET AT 5TH AVENUE, 6TH AVENUE, AND 7TH STREET TRAFFIC SIGNAL INSTALLATION PROJECT

WHEREAS, on July 25, 2005, by Roll Call No. 05-1791, the City Council authorized and directed the City Manager to submit applications to the Iowa Department of Transportation for Traffic Safety Funds, including an application for funding of the Crocker Street at 5th Avenue, 6th Avenue, and 7th Street Traffic Signal Installation (“the Project”); and

WHEREAS, on July 24, 2006, by Roll Call No. 06-1427, the City Council approved and authorized the execution of Iowa Department of Transportation agreement for the Project; and

WHEREAS, on February 12, 2007, by Roll Call No. 07-200, the City Council approved and authorized the execution of Iowa Department of Transportation agreement for the Project; and

WHEREAS, on June 9, 2008, by Roll Call No. 08-955, the City Council ordered construction of the Project; and

WHEREAS, on July 14, 2008, by Roll Call Nos. 08-1265 and 08-1266, respectively, the City Council held a public hearing approving plans, specification, form of contract documents, and engineer’s estimate for the Project, and approved the contract for construction of the Project; and

WHEREAS, the Real Estate Division of the Engineering Department has negotiated a Permanent Easement for the consideration listed below, which represents a reasonable and appropriate price to be paid for the property interests to be acquired in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents are hereby approved and accepted as follows:

Property Owner:	Catholic Health Initiatives – Iowa, Corporation
Property Location:	941 8 th Street and 928 6 th Avenue
Document Type:	Permanent Easement
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

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Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete the transactions in accordance with standard real estate practices.

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 Real Estate documents listed above the approval and acceptance of this Council and 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 the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

RSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
KIERNAN	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
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