



★ Roll Call Number

09-1236

Agenda Item Number

47

July 13, 2009

Date

APPROVING PARTIAL RELEASE OF JUDGMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA

That the City of Des Moines hereby authorizes the City Attorney to either

1. Execute and deliver to IndyMac Bank, F.S.B., a Release of Judgment in the law suit entitled City of Des Moines, Iowa v. Anthony D. Lewis and IndyMac Bank, Equity No. CE 52028, in Polk County, Iowa, District Court, in exchange for payment to the City of Des Moines in the amount of \$12,000.00, or
2. Execute and deliver to IndyMac Bank, F.S.B., a release of only the real property described below from the judgment in the law suit entitled City of Des Moines, Iowa v. Anthony D. Lewis and IndyMac Bank, Equity No. CE 52028, in Polk County, Iowa, District Court in exchange for payment of \$6,500.00, if the City Attorney receives satisfactory assurance of future payment of the balance of the judgment against IndyMac Bank, F.S.B., now totaling \$13,622.01. The real estate to be released is locally known as 806 S.E. Circle, Ankeny, Iowa, situated in Polk County, Iowa, and legally described as follows:

Lot 3 in Richland Estates Plat No. 3, an Official Plat, now included in and forming a part of the City of Ankeny, Iowa.

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

Bruce E. Bergman
City Attorney

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