

★ Roll Call Number

09-1430

Agenda Item Number

19

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Date August 10, 2009

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM DAVID R. GHIASI FOR  
1227 55<sup>TH</sup> STREET FOR FUTURE EXPANSION OF GLENDALE CEMETERY**

**WHEREAS**, the Cemetery Division of the Park and Recreation Department has developed a long range plan for expansion of Glendale Cemetery that includes extending the entire west property line to 55<sup>th</sup> Street; and

**WHEREAS**, on June 4, 2007, by Roll Call No. 07-1052, the City Council authorized the City's Real Estate Division to contact current property owners to determine their willingness to participate in a voluntary purchase or gift of their property, subject to funding availability and final City Council approval; and

**WHEREAS**, the residential property at 1227 55<sup>th</sup> Street is currently listed for sale for \$122,000; and

**WHEREAS**, the property has been appraised by an independent appraiser in the amount of \$112,000 for a total fee acquisition; and

**WHEREAS**, the City's Real Estate Division of the Engineering Department has negotiated a settlement in the amount of \$114,000 for the voluntary acquisition of this property.

**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:

Titleholder:	David R. Ghiasi
Property Location:	1227 55 <sup>th</sup> Street, Des Moines, IA 50311
Document Type:	Offer to Purchase Real Estate and Acceptance
Document Type:	Warranty Deed
Suggested Fair Market Value:	\$114,000 (plus closing costs)

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, and the Real Estate Division Manager is authorized and directed to complete the transaction 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 the approval and acceptance of this Council, the Mayor is authorized and directed to sign all necessary real estate documents, and the City Clerk is further authorized and directed to deliver the

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necessary real estate documents, 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.

That the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

(Council Communication No. 09-566)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

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

MOTION CARRIED 7 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