

★ Roll Call Number
11-0882

Agenda Item Number
19

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Date May 23, 2011

**RESOLUTION ESTABLISHING FAIR MARKET VALUE AND AUTHORIZING
VOLUNTARY ACQUISITION OF PROPERTY LOCATED AT 1603 13th STREET FOR
THE FOREST AVENUE URBAN RENEWAL PROJECT**

WHEREAS, on October 24, 2005, by Roll Call No. 05-2584, the City Council of the City of Des Moines adopted the Forest Avenue Urban Renewal Plan; and

WHEREAS, on September 11, 2006, by Roll Call No. 06-1810, the City Council of the City of Des Moines adopted the Amended Forest Avenue Urban Renewal Plan; and

WHEREAS, the City's Real Estate Division has identified property locally known as 1603 13th Street, which includes two vacant lots, for voluntary acquisition for temporary incorporation with the adjoining Edna Griffin Park and future redevelopment in accordance with the Amended Forest Avenue Urban Renewal Plan; and

WHEREAS, said property has been appraised by an independent appraisal firm and based upon the appraisal, the suggested fair market value of the property is as follows:

Titleholder:	Comaletta G. Smart
Property Location:	1603 13 th Street, Des Moines, IA 50314
Property Interest(s) to Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$11,000

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

That the valuation listed and identified above as "Suggested Fair Market Value" is hereby established as the fair market value of the property listed herein.

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the property through gift or negotiation based upon the approved fair market value.

If the property owner agrees to convey the Property to the City in accordance with the general terms of the Offer to Purchase Real Estate and Acceptance ("Offer") on file in the City Clerk's Office and in an amount based on the established fair market value, including an approved administrative settlement, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out this 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 this transaction in accordance with the terms of the approved Offer and standard real estate practices and state law requirements.

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That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all revisions to the Offer, the real estate documents and the closing documents prior to closing.

That the City Clerk is hereby authorized and directed to endorse upon the Offer and real estate documents approved by the Legal Department the approval and acceptance of this Council, the Mayor is authorized and directed to sign all necessary documents related to this purchase, 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 the terms of the approved Offer and standard real estate practices.

That the Real Estate Division Manager is hereby authorized and directed to execute such agreements approved by the Legal Department necessary to enable closing.

(Council Communication No. 11- 297)

Moved by Wensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

RSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.

T. M. Franklin Mayor

Diane Rauh City Clerk