



Roll Call Number

14-0603

Agenda Item Number

14

Date April 21, 2014

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM SCOTT LEFF, AS TRUSTEE OF THE SCOTT LEFF ROTH 401K TRUST, FOR VOLUNTARY ACQUISITION OF PROPERTY AT 3611 ARTHUR AVENUE FOR THE FOUR MILE CREEK FLOODPLAIN AREA

WHEREAS, Scott Leff, Trustee of the Scott Leff Roth 401k Trust, owns a vacant lot in the Four Mile Creek Floodplain Area at 3611 Arthur Avenue and has offered to sell said property to the City of Des Moines for assemblage with other City-owned properties for future development of open space uses in the Four Mile Creek floodplain area, and the City's Park and Recreation Department and Real Estate Division recommend voluntary acquisition of the property for assemblage with the adjoining City-owned real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents conveying a fee simple property interest to the City, 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: Scott Leff, Trustee of the Scott Leff Roth 401k Trust
- Property Location: 3611 Arthur Avenue, Des Moines, Iowa 50317
- Document Type: Voluntary Offer to Purchase Easement in Real Estate and Acceptance; Trustee's Quit Claim Deed with Trustee's Affidavit
- Consideration: \$2,500 (Plus Closing Costs)

That the Finance Director is authorized and directed to issue checks to pay any costs certified by the Legal Department and the Engineering Department, and the Real Estate Division Manager is authorized and directed to obtain the checks, if any, needed to carry out this transaction and to deliver them to the payee(s).

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 Deed the approval and acceptance of this Council; the Mayor is authorized and directed to sign all necessary real estate documents associated with this acquisition; 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.

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(Council Communication No. 14- 162)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

psv

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIES
T. M. Franklin Mayor

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