

★ **Roll Call Number**

16-0185

Agenda Item Number

9

Date February 8, 2016

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM POLK COUNTY, IOWA FOR THE
EVERGREEN AVENUE BRIDGE OVER EASTER LAKE REPLACEMENT PROJECT**

WHEREAS, Polk County, Iowa owns property located within the Polk County Conservation Board-managed land known as Easter Lake Park and has agreed to convey a portion of the property to the City of Des Moines, Iowa ("City") by Quit Claim Deed and also grant the City a Permanent Easement for Street Right-of-way across said property, which property interests are needed for the Evergreen Avenue Bridge Over Easter Lake Rehabilitation Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents conveying said property interests 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:	Polk County, Iowa
Property Location:	District/Parcels 120/07171-254-000 and 120/07006-669-005
Document Type:	Quit Claim Deed and Permanent Easement for Street Right-of-Way
Consideration:	\$1.00 (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 Quit Claim Deed and Permanent Easement for Street Right-of-Way 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.

That the property interests acquired for use as City right-of-way and/or public sidewalks are hereby dedicated as such with dedication effective upon recording of the approved documents.



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Moved by Gatto to adopt.

APPROVED AS TO FORM:

[Signature]

Lisa A. Wieland, Assistant City Attorney

PSW

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

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.

[Signature]

City Clerk

[Signature] Mayor