



**Roll Call Number**

16-0749

**Agenda Item Number**

10

**Date** May 9, 2016

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM DOROTHY F. NEUMANN, AS TRUSTEE OF THE DOROTHY F. NEUMANN 2003 TRUST U/A DATED JULY 15, 2003, FOR DONATION OF A PORTION OF THE PROPERTY LOCATED AT 4101 JOHN LYNDE ROAD**

**WHEREAS**, Dorothy F. Neumann, Trustee of the Dorothy F. Neumann 2003 Trust U/A dated July 15, 2003, is the owner of property located at 4101 John Lynde Road, and has offered to donate the portion of the property that is encumbered with an existing sanitary sewer to the City of Des Moines, Iowa ("City"); and

**WHEREAS**, the City does not currently have an easement to access the property for maintenance and repair of the existing sanitary sewer and the City's Real Estate Division recommends accepting donation of the property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that the attached documents conveying said 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: Dorothy F. Neumann, Trustee of the Dorothy F. Neumann 2003 Trust U/A dated July 15, 2003
- Property Location: 4101 John Lynde Road, Des Moines, IA 50312
- Document Type: Offer to Purchase Real Estate and Acceptance; Warranty Deed; Good Faith Purchaser's Affidavit
- Consideration: Donation (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 Offer to Purchase, Purchaser's Affidavit and the Warranty 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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Moved by Wensley to adopt.

APPROVED AS TO FORM:

[Signature]  
Lisa A. Wieland, Assistant City Attorney

*BW*

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]  
T. M. ... Mayor

[Signature]  
Diane Rauh City Clerk