



Roll Call Number

17-0854

Agenda Item Number

11

Date May 22, 2017

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM OAKVIEW TERRACE I LIMITED PARTNERSHIP FOR THE 30TH STREET SIDEWALK – BOSTON AVENUE TO URBANDALE AVENUE PROJECT

WHEREAS, Oakview Terrace 1 Limited Partnership owns properties located at 3111 30th Street and 3201 30th Street and has agreed to convey a Permanent Easement for Public Pedestrian Way and Utilities and a Temporary Easement for Construction and Construction-Related Activities to the City of Des Moines, Iowa (“City), which property interests are needed for the 30th Street Sidewalk – Boston Avenue to Urbandale Avenue 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: | Oakview Terrace 1 Limited Partnership |
| Property Location: | 3111 30 th Street and 3201 30 th Street, Des Moines, Iowa 50310 |
| Document Type: | Offer to Purchase Real Estate and Acceptance; Permanent Easement for Public Pedestrian Way and Utilities; and Temporary Easement for Construction and Construction-Related Activities |
| Consideration: | \$4,050.00 (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 Offer to Purchase, Permanent Easement for Public Pedestrian Way and Utilities and Temporary Easement for Construction and Construction-Related Activities 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. 17-439)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

| 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.

Mayor

Diane Rauh City Clerk