



**Roll Call Number**

17-2131

**Agenda Item Number**

16

**Date** December 18, 2017

**ACCEPTANCE OF DONATION OF PROPERTY LOCATED AT 1926 FRAZIER AVENUE  
FROM KEVIN R. KAY FOR STORMWATER MANAGEMENT**

**WHEREAS**, Kevin R. Kay, owns a vacant lot locally known as 1926 Frazier Avenue and has offered to donate said property to the City of Des Moines for stormwater management purposes, and the City's Sewer Enterprise Division recommends voluntary acquisition of the property for maintenance of surface water flowage.

**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 City's Sewer Enterprise Division, be and are hereby approved and accepted as follows:

Property Owner:	Kevin R. Kay
Property Location:	1926 Frazier Avenue, Des Moines, Iowa 50315
Document Type:	Voluntary Offer to Purchase Easement in Real Estate and Acceptance; Warranty Deed
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 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.

That the Community Development Director is hereby authorized and directed to request any and all property taxes prior to the conveyance to the City, including accrued interest, be abated and released by the Polk County Board of Supervisors.



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Moved by Hensley to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

PTW

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

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