



Roll Call Number

18-1904

Agenda Item Number

17

Date November 19, 2018

RESOLUTION TO AUTHORIZE VOLUNTARY ACQUISITION AND TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED NORTH OF EAST WATROUS AVENUE AND WEST OF HARTFORD AVENUE FROM CHARLES A. HETHERSHAW FOR THE DES MOINES RIVER TRAIL – PHASE 2 PROJECT

WHEREAS, Charles A. Hethershaw owns agricultural property located north of East Watrous Avenue and west of Hartford Avenue (“Property”) and has offered to sell said property to the City of Des Moines for the Des Moines River Trail – Phase 2 Project; and

WHEREAS, City staff has negotiated a purchase price of \$540,000 for the voluntary acquisition of said Property, which is equal to the fair market value of the Property, as determined by the City’s Real Estate Division.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the valuation listed and identified below as “Suggested Fair Market Value” is hereby established as the fair market value of the property listed herein.
2. That the documents conveying real property to the City of Des Moines, as on file in the office of the City Clerk and as recommended for approval and acceptance by City staff, be and are hereby approved and accepted as follows:

Property Owner:	Charles A. Hethershaw
Property Location:	2820 Hartford Avenue and District/Parcels 010/06917-004-000 and 010/06907-002-000, Des Moines, Iowa 50320
Document Type:	Offer to Purchase Real Estate and Acceptance; Warranty Deed
Suggested Fair Market Value:	\$540,000 (Plus Closing Costs)

3. That the Mayor is hereby authorized and directed to execute the Offer to Purchase Real Estate and Acceptance; and, following approval as to form by the City’s Legal Department, the Mayor and/or City Clerk, as applicable, are hereby authorized and directed to endorse upon the Warranty Deed and any and all other related documents the approval and acceptance of this Council; 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.
4. That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transaction and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete the transaction in accordance with standard real estate practices.
5. 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.



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(Council Communication No. 18-635)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL				
MOTION CARRIED	APPROVED			

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