



Roll Call Number

19-0459

Agenda Item Number

12

Date March 25, 2019

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM TRUE BIBLE BAPTIST CHURCH FOR VOLUNTARY ACQUISITION OF PROPERTY INTERESTS LOCATED AT 4104 AMHERST STREET AND DISTRICT/PARCEL 070/02624-001-000 FOR THE HAMILTON DRAIN STORM WATER IMPROVEMENTS – PHASE 1 PROJECT

WHEREAS, True Bible Baptist Church owns property located at 4104 Amherst Street and District/Parcel 070/02624-001-000, and has offered to a Permanent Easement for Underground Storm Water Detention and Storm Sewer Facilities therein (“Property”) needed for the Hamilton Drain Storm Water Improvements – Phase 1 Project (“Project”) to the City of Des Moines; and

WHEREAS, City of Des Moines (“City”) staff has negotiated a voluntary purchase price of \$43,000.00 with True Bible Baptist Church for acquisition of a Permanent Easement for Underground Storm Water Detention and Storm Sewer Facilities, which price is equal to the estimated fair market value of the Property and damages caused by the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the following documents conveying property interests to the City, recommended for approval and acceptance by the Real Estate Division of the Engineering Department and on file in the office of the City Clerk, be and are hereby approved and accepted as follows:

- Property Owner: True Bible Baptist Church
- Property Location: 4104 Amherst Street and District/Parcel 070/02624-001-000, Des Moines, IA 50313
- Document Type: Voluntary Offer to Purchase Easement in Real Estate and Acceptance; Permanent Easement for Underground Storm Water Detention and Storm Sewer Facilities
- Consideration: \$43,000.00 (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 Permanent Easement for Underground Storm Water Detention and Storm Sewer Facilities the approval and acceptance of this Council; the Mayor is authorized and directed to sign the Offer to Purchase Real Estate and Acceptance and 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. 19-132)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

POW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
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.

Diane Rauh City Clerk

Mayor: [Signature]