

Date April 10, 2006

RESOLUTION TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED AT 3401 HULL AVENUE AND 3325 HUBBELL AVENUE FOR THE GAY LEA WILSON TRAIL PROJECT - PHASE III

WHEREAS, on September 29, 1998, by Roll Call 98-2949, the City Council approved an alignment for the Four Mile Creek Trail Project- Phase III, now re-named the Gay Lea Wilson Trail Project - Phase III; and

WHEREAS, on January 4, 1999, by Roll Call 99-034, the City Council authorized acquisition of the Gay Lea Wilson Trail Project – Phase III by gift, negotiation, or condemnation; and

WHEREAS, on October 8, 2001, by Roll Call 01-3011, the City Council approved the re-alignment of the Gay Lea Wilson Trail Project - Phase III and authorized acquisition by gift, negotiation, or condemnation; and

WHEREAS, on May 5, 2003, by Roll Call No. 03-983, the City Council approved and accepted real estate documents for the acquisition of property interests located at 3401 Hull Avenue and 3325 Hubbell Avenue from the Iowa Mobile Home Communities LLC, and

WHEREAS, an Amended and Corrected Permanent Easement is now needed from Iowa Mobile Home Communities LLC due to changes made to the trail alignment during construction of the Gay Lea Wilson Trail Project – Phase III.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents are hereby approved and accepted as follows:

- Property Owner: Iowa Mobile Home Communities LLC
Property Location: 3401 Hull Avenue and 3325 Hubbell Avenue
Document Type: Amended and Corrected Permanent Easement for Recreational Trail
Consideration: \$500.00 plus closing costs

That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transactions 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 transactions in accordance with standard real estate practices.

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 Real Estate documents listed above the approval and acceptance of this Council and is further authorized

★ **Roll Call Number**

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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.

(Council Communication No. 06-187)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Emily Gould Chafa
 Emily Gould Chafa
 Assistant City Attorney

Account: 541015
 Fund: CP040
 Organization: PKS990000
 Project/Grant: PKS045
 Activity ID: 32-2003-002
 F:\Closing

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
MAHAFFEY				
BROOKS				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

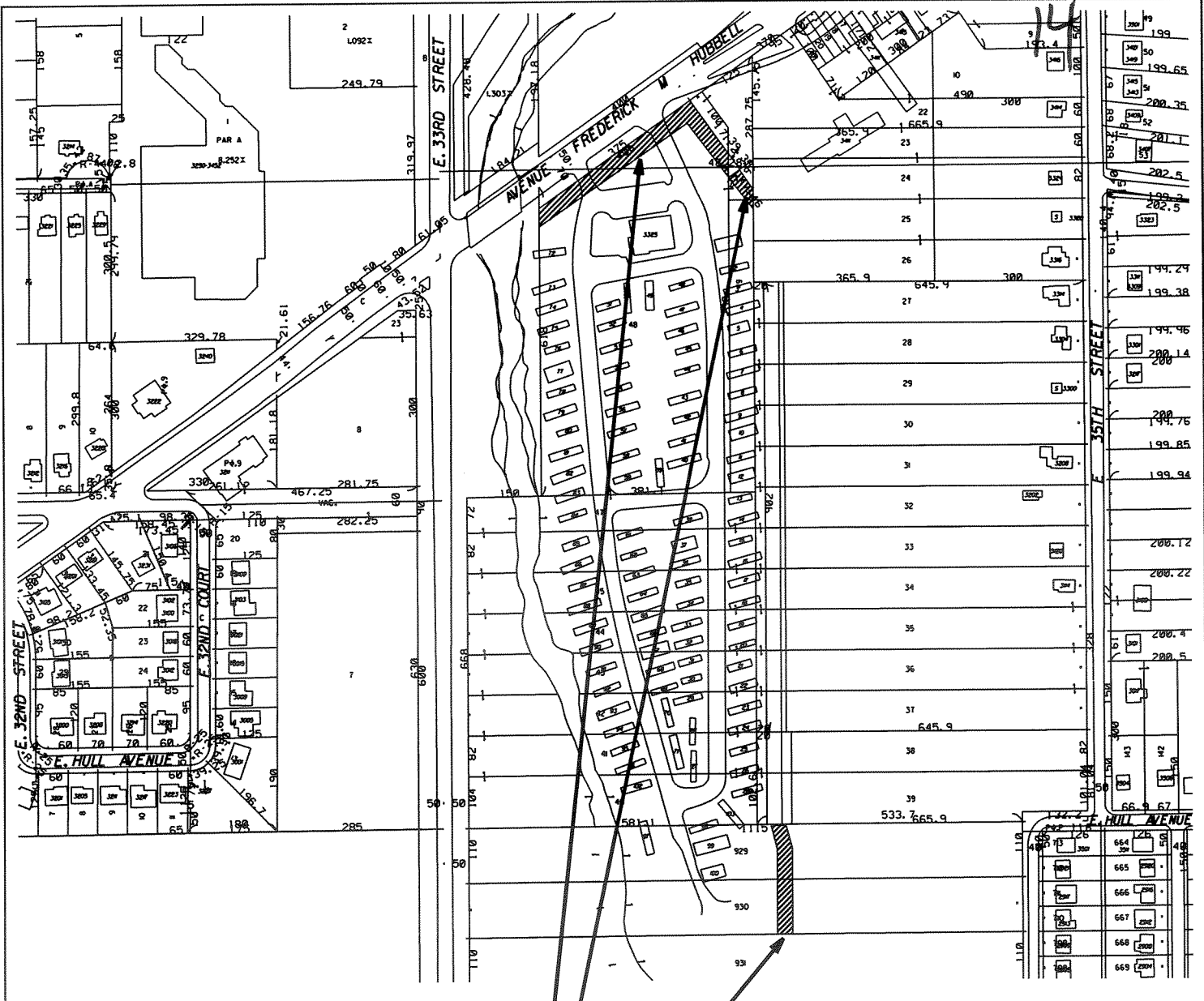
CERTIFICATE

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.

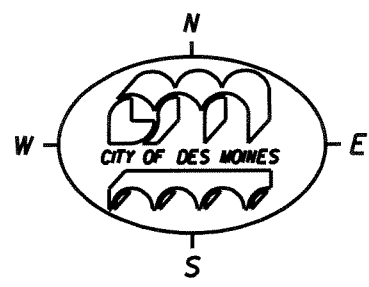
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk



**PROJECT
LOCATION**



**PERMANENT EASEMENTS
GAY LEA WILSON REC. TRAIL
PHASE 3 & 4
ACT. I.D. #32-2003-002**