

Date October 23, 2006

RESOLUTION TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FROM THE UNION PACIFIC RAILROAD COMPANY AT VARIOUS LOCATIONS FOR THE FLOOD PROTECTION SYSTEM IMPROVEMENTS PROJECT

WHEREAS, on September 27, 2004, by Roll Call No. 04-1993, the City Council of the City of Des Moines, Iowa, authorized the acquisition of all necessary property interests by gift, negotiation or condemnation for federal levee improvements, consisting of four (4) closures in the levee system; and

WHEREAS, in accordance with City Council policy, the City Manager established Fair Market Value for the following property interests; and,

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:	Union Pacific Railroad Company
Document Type:	Intent to Sell and Agreement to Purchase Real Estate
Document Type:	Quit Claim Deed
Consideration:	\$21,380 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 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.

★ **Roll Call Number**

Agenda Item Number

18 A

Date October 23, 2006

Local Flood Levee Protection Closures: Page 2

Moved by _____ to adopt.

(Council Communication No. 06- 674)

APPROVED AS TO FORM:

Emily Gould Chafa

 Emily Gould Chafa
 Assistant City Attorney

2006-07 CIP, Storm Water Improvements, Flood Protection System Improvements, Page 11, FLD008 – 65% Federal Funds.
 Activity ID: 04-2005-002

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

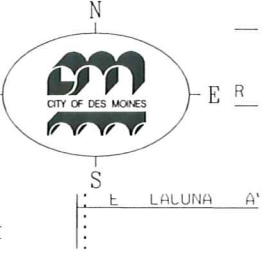
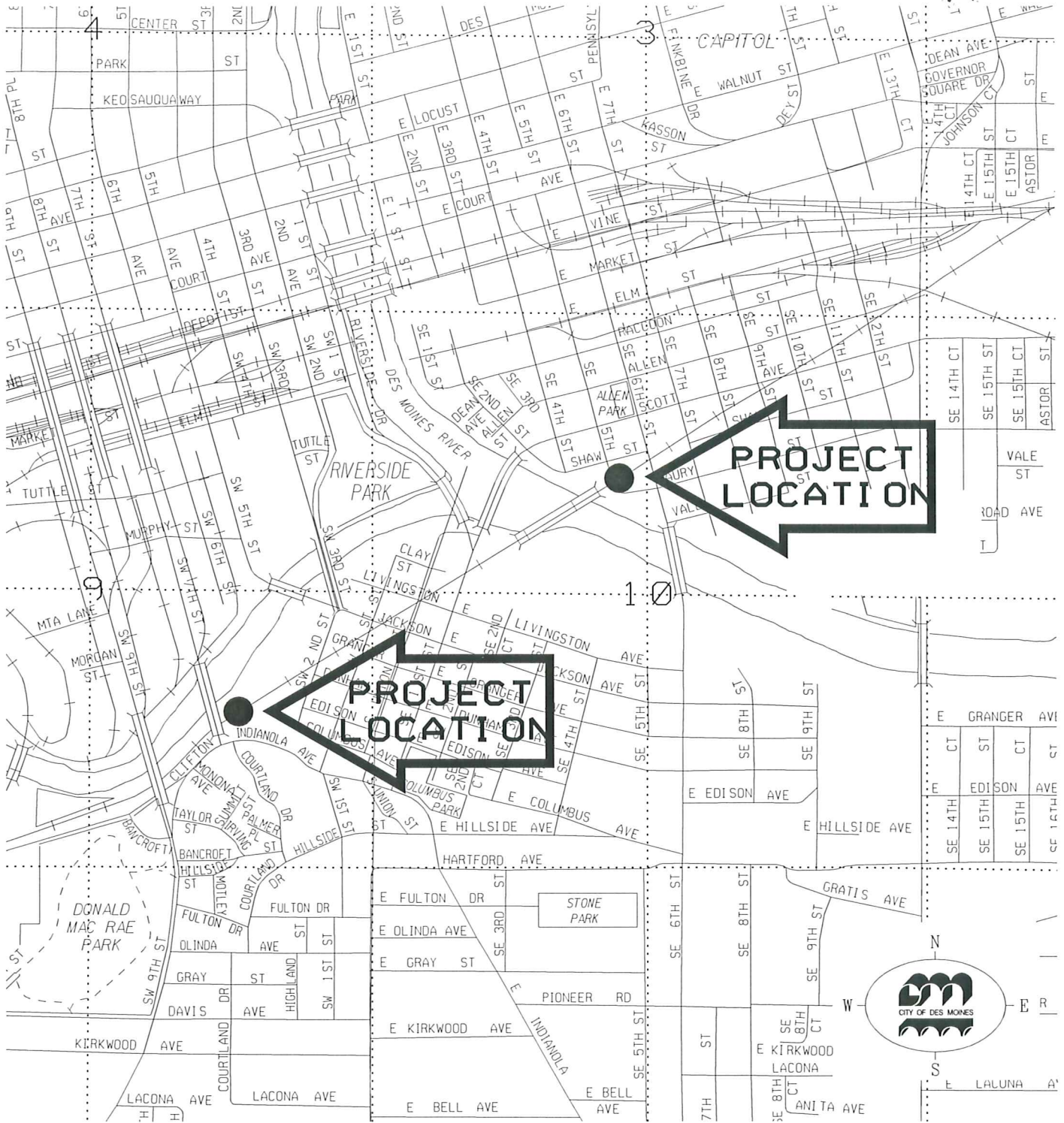
CERTIFICATE

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 NAME

ACTIVITY ID

FLOOD PROTECTION SYSTEM
IMPROVEMENT PROJECT

04-2005-002