

Date September 12, 2016

**RESOLUTION TO AUTHORIZE VOLUNTARY ACQUISITION AND TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED AT 3807 50<sup>th</sup> STREET FROM LUCIO RODRIGUEZ ARPISTA FOR THE 2016 SEWER REPAIR - CONTRACT I PROJECT**

**WHEREAS**, the City Public Works Director and staff recommend voluntary acquisition of the real property locally known as 3807 50<sup>th</sup> Street for the 2016 Sewer Repair - Contract I Project; and

**WHEREAS**, the City's Real Estate Division suggests the amount listed below as fair market value for said property, based on an independent appraisal of the property.

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

1. That the valuation listed and identified above 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: Lucio Rodriguez Arpista  
Property Location: 3807 50<sup>th</sup> Street, Des Moines, IA 50310  
Document Type: Offer to Purchase Real Estate and Acceptance  
Warranty Deed  
Suggested Fair Market Value: \$116,000.00 (Plus Closing Costs)

3. That the Mayor is hereby authorized and directed to execute the Offer to Purchase Real Estate and Acceptance and the Warranty Deed; 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 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.

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- 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.

(Council Communication No. 16-514)

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:



Lisa A. Wieland  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**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.

\_\_\_\_\_  
City Clerk