

13-1711

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Date November 4, 2013

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM BRYAN R. NEFF FOR DONATION OF A VACANT LOT ADJOINING CITY-OWNED PROPERTY AT 2328 EAST 37TH STREET FOR THE FOUR MILE CREEK FLOODPLAIN AREA

WHEREAS, Bryan R. Neff, the owner of Polk County District/Parcel No. 060/04525-000-000, a vacant lot adjoining City-owned property at 2328 East 37th Street, has agreed to donate the property to the City of Des Moines for assemblage with other City-owned properties for future development of open space uses in the Four Mile Creek floodplain area, and the City's Real Estate Division recommends assemblage of Mr. Neff's property with the adjoining City-owned real property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached documents conveying a fee simple property interest to the City, recommended for approval and acceptance by the Real Estate Division of the Engineering Department, be and are hereby approved and accepted as follows:

Property Owner: Bryan R. Neff
 Property Location: Polk County District/Parcel No. 060/04525-000-000
 Document Type: Offer to Purchase Easement in Real Estate and Acceptance;
 Warranty Deed
 Consideration: Donation (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 Warranty Deed the approval and acceptance of this Council; the Mayor is authorized and directed to sign 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.

Moved by Coleman to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	5			

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.

T. M. Franklin Mayor

Diane Rauh City Clerk