

Date August 22, 2022

ACCEPTANCE OF REAL ESTATE DOCUMENTS FROM THE JAMES R. SCAVO 2013 REVOCABLE TRUST, ANNA P. SCAVO 2013 REVOCABLE TRUST AND ROSE M. SCAVO 2013 REVOCABLE TRUST FOR VOLUNTARY ACQUISITION OF PROPERTY LOCATED IN THE VICINITY OF S.E. 5TH STREET AND E. TITUS AVENUE FOR THE RELOCATION OF ALLEN PARK, AND DEDICATION OF THE PROPERTY AS PARKLAND

WHEREAS, James R. Scavo, Trustee of the James R. Scavo 2013 Revocable Trust, Anna P. Scavo, Trustee of the Anna P. Scavo 2013 Revocable Trust and Rose M. Scavo, Trustee of the Rose M. Scavo 2013 Revocable Trust own property located in the vicinity of S.E. 5th Street and E. Titus Avenue ("Property"), and have offered to sell said property to the City of Des Moines ("City") for the relocation of Allen Park ("Project"); and

WHEREAS, City staff has negotiated a purchase price of \$125,000.00 with Anna P. Scavo, Trustee of the Anna P. Scavo 2013 Revocable Trust, Rose M. Scavo, Trustee of the Rose M. Scavo 2013 Revocable Trust, and James R. Scavo, Trustee of the James R. Scavo 2013 Revocable Trust for the voluntary acquisition of Parcel 7824-27-126-017, Des Moines, Iowa, and \$60,000.00 with James R. Scavo, Trustee of the James R. Scavo 2013 Revocable trust for the voluntary acquisition of Parcel 7824-27-176-011, Des Moines, Iowa, for a total purchase price of \$185,000.00 which is equal to the estimated fair market value of the Property, as determined by the City's Real Estate Department; and

WHEREAS, the permanent property interests to be acquired for this project will be used as City parkland following acquisition thereof.

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

- 1. That the City's voluntary purchase of property located in the vicinity of S.E. 5th Street and E. Titus Avenue (Parcels 7824-27-126-017 and 7824-27-176-011) for the relocation of Allen Park in consideration of \$185,000.00 is hereby authorized and approved; and
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: James R. Scavo, Trustee of the James R. Scavo 2013 Revocable Trust; Anna P. Scavo, Trustee of the Anna P. Scavo 2013 Revocable Trust; Rose M. Scavo, Trustee of the Rose M. Scavo 2013 Revocable Trust
Property Location: Parcels 7824-27-126-017 and 7824-27-176-011, Des Moines, Iowa 50315
Document Type: Voluntary Offer to Purchase Real Estate and Acceptance (2); Warranty Deeds (2)
Suggested Fair Market Value: \$185,000.00 (Plus Closing Costs)

★ Roll Call Number

22-1318

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3. That the City Clerk is hereby authorized and directed to endorse upon the real estate documents for this Project the approval and acceptance of this Council, the Mayor is authorized and directed to sign all necessary real estate documents, 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.
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.
6. That the permanent property interests acquired as part of the Project for the use as City parkland are hereby dedicated as such, with dedication effective upon acquisition and/or closing.

(Council Communication No. 22-382)

Moved by Gatto to adopt.

Second by Boesen.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno  
Mackenzie L. Moreno, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

J. M. Gumbel Cownie  
MOTION CARRIED APPROVED  
Mayor

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner

Laura Baumgartner, City Clerk