

Date March 24, 2008

**RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR MULTIPLE
PROPERTIES FOR THE SOUTHEAST CONNECTOR PROJECT – SE 6TH STREET
TO SE 14TH STREET PHASE**

WHEREAS, on April 25, 2005, by Roll Call No. 05-969, the City Council of the City of Des Moines authorized the acquisition, by gift, negotiation, or condemnation, of the right-of-way required to construct this project; and

WHEREAS, on November 9, 2007, the City Engineering Department received authorization from the Iowa Department of Transportation to commence acquisition of all necessary property interests for this project; and

WHEREAS, the following properties have been appraised by an independent appraiser, and the appraisals have been reviewed and approved by the Iowa Department of Transportation; and

WHEREAS, based upon the appraisals, the suggested fair market values of the properties are as follows:

Titleholder: Beryl S. Fisher
Property Location: 416 SE 8th Street, Des Moines, IA 50309-5010
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$56,000

Titleholder: Julian Pinon
Property Location: 423 SE 8th Street, Des Moines, IA 50309-5009
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$76,000

Titleholder: Cindy Gay
Property Location: 415 SE 8th Street, Des Moines, IA 50309-5009
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$33,000

Titleholder: John F. Virden Estate and Mildred V. Virden
Property Location: 413 SE 8th Street, Des Moines, IA 50309-5009
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$34,000

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Titleholder: Giang T. Nguyen
Property Location: 1012 Allen Street, Des Moines, IA 50309-5036
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$63,000

Titleholder: First Contract, Inc.
Contract Purchaser: Gonzalo Ortiz
Property Location: 425 SE 7th Street, Des Moines, IA 50309-5003
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$110,000

Titleholder: "A" Diversified Service, Inc.
Property Location: 710 Allen Street, Des Moines, IA 50309
Property Interest to be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$31,000

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

That the valuations listed and identified above as "Suggested Fair Market Value" are hereby established as the fair market values of the properties listed herein.

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the properties through gift, negotiation or condemnation based upon the approved fair market values.

That the properties will be acquired in accordance with the guidelines of 49 CFR Part 24 of the Uniform Relocation and Real Property Acquisition Act, as revised, and that relocation is hereby authorized.

If the property owners agree to convey the properties to the City in an amount based on the established fair market value, including an approved administrative settlement, or if a condemnation award is based on the established fair market value or falls within an approved settlement amount, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out these 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 these transactions in accordance with standard real estate practices and state law requirements.

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.

★ Roll Call Number

Agenda Item Number

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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, 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.


That the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

(Council Communication No. 08- 163)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Activity ID: 32-2006-049
2007-08 CIP, Street Improvements,
SE Connector – SE 6th to SE 14th,
STR219, Page 40



Glenna K. Frank
Assistant City Attorney

PJW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
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



GAY



FISHER



VIRDEN



"A" DIVERSIFIED



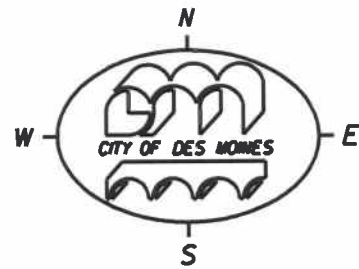
NGUYEN



PINON



ORTIZ



**PROPERTY ACQUISITION
 SOUTHEAST CONNECTOR PROJECT
 SE 6TH & SE 14TH ST. PHASE
 ACTIVITY I.D. 32-2006-049**