

Date April 23, 2007

RESOLUTION ESTABLISHING FAIR MARKET VALUE AND AUTHORIZING ACQUISITION OF VARIOUS PROPERTIES FOR THE FOREST AVENUE URBAN RENEWAL PROJECT BY GIFT, NEGOTIATION, OR CONDEMNATION

WHEREAS, on September 11, 2006, by Roll Call No. 06-1810, the City Council of the City of Des Moines approved and adopted the Amended Forest Avenue Urban Renewal Project; and

WHEREAS, on February 12, 2007, by Roll Call No. 07-222, the City Council of the City of Des Moines approved the acquisition plan for the 2200 Block of Forest Avenue; and

WHEREAS, the following properties have been appraised by an independent appraisal firm, and the appraisals have been reviewed by the City of Des Moines' Real Estate Division Appraiser; and,

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

Titleholder: Edward Bodensteiner
Property Location: 1408 22nd Street
Property Interest(s) to be Acquired: Total Fee Simple Interest
Suggested Fair Market Value: \$ 51,000

Titleholder: Heartland Auto Sales, Inc. (Fee Owner), Carol Johnson, President, 1408 SW Lewis St., Des Moines, Iowa, 50315 and Douglas L. Herselius (Contract Purchaser)
Property Location: 1420 22nd Street
Property Interest(s) to be Acquired: Total Fee Simple Interest
Suggested Fair Market Value: \$ 29,000

Titleholder: SBS, Inc., Robyn Stokstad, President, 3401 Skyline Drive, Des Moines, IA 50310
Property Location: 2201 Forest Avenue
Property Interest(s) to be Acquired: Total Fee Simple Interest
Suggested Fair Market Value: \$ 55,000

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.

★ Roll Call Number

Agenda Item Number

14

Forest Avenue Urban Renewal: Page 2

Date April 23, 2007

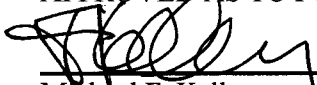
If the property owners agree to convey the properties to the city in an amount based on the established fair market value, including an approved administrative settlement, or if a condemnation award is based on the established fair market value or falls within an approved settlement amount, the Finance 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; 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, 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. 07 - 226)

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Michael F. Kelley
 Assistant City Attorney

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

