

Date May 7, 2007

RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR MULTIPLE PROPERTIES FOR THE EAST 14TH STREET WIDENING - ARTHUR AVENUE TO EAST TIFFIN AVENUE PROJECT

WHEREAS, on September 12, 2005, by Roll Call No. 05-2167, the City Council approved and authorized the execution of Iowa Department of Transportation pre-design agreement for E. 14th Street (U.S. 69) from E. University Avenue to E. Aurora Avenue Project, now known as East 14th Street Widening – Arthur Avenue to East Tiffin Project; and

WHEREAS, on February 26, 2007, by Roll Call 07-340, the City Council of the City of Des Moines authorized the acquisition of the necessary right-of-way and easements for the East 14th Street Widening – Arthur Avenue to East Tiffin Avenue Project, by gift, negotiation, or condemnation, and

WHEREAS, the right-of-way requirements have been determined and the following properties have been appraised by an independent appraisal firm, and the appraisals were reviewed by the Iowa Department of Transportation (IDOT); and,

WHEREAS, based upon the appraisal, the suggested fair market value of the property is as follows:

Titleholder: Robert P. Farley
Property Location: 2914 East 14th Street
Property Interests to be Acquired: Permanent Easement for Street Right-of-way and Temporary Easement for Construction

Suggested Fair Market Value: \$55,000.00
Optional Interests to be Acquired: Total Fee per Iowa DOT Recommendation
Optional Fair Market Value: \$107,000

Titleholder: James V. Thrasher Trust
Property Location: 3012 East 14th Street
Property Interests to be Acquired: Total Fee Simple
Suggested Fair Market Value: \$328,000.00

Titleholder: Rich Eychaner
Property Location: 1348 Richmond Avenue
Property Interests to be Acquired: Partial Fee Simple & Temporary Easement
Suggested Fair Market Value: \$28,300.00

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Titleholder: Marva K. Overton
Property Location: 3020 East 14th Street
Property Interests to be Acquired: Total Fee Simple
Suggested Fair Market Value: \$122,000.00

Titleholder: David Wright
Property Location: 1356 Arthur Avenue
Property Interests to be Acquired: Total Fee Simple
Suggested Fair Market Value: \$80,000.00

Titleholder: Arnold R. & Geraldine A. Howard
Property Location: 1357 East Sheridan Avenue
Property Interests to be Acquired: Total Fee Simple
Suggested Fair Market Value: \$84,000.00

Titleholder: Julie Teasdale & Mahlon K. Gragen
Property Location: 1358 Boyd Street
Property Interests to be Acquired: Total Fee Simple
Suggested Fair Market Value: \$94,000.00

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

1. That the valuations listed and identified above as “Suggested Fair Market Value” and “Optional Fair Market Value” are hereby established as the fair market values of the properties listed herein.
2. 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.
3. That the properties will be acquired in accordance with 49 CFR Part 24 of the Uniform Relocation and Real Property Acquisition Act, as revised, and that relocation is hereby authorized.
4. 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

★ Roll Call Number

Agenda Item Number

14

E. 14th Widening – Arthur to Tiffin - FMV: Page 3

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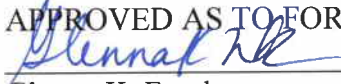
authorized and directed to complete these transactions in accordance with standard real estate practices and state law requirements.

- 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 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.

(COUNCIL COMMUNICATION NO. 01 - 277)

Moved by _____ to adopt.

APPROVED AS TO FORM:



 Glenna K. Frank
 Assistant City Attorney

Funding source: 2007-08 CIP,
 Street Improvements – Page 14,
 E. 14th Street Widening, Project
 STR223, Fund CP038, Org.
 ENG990000

CERTIFICATE

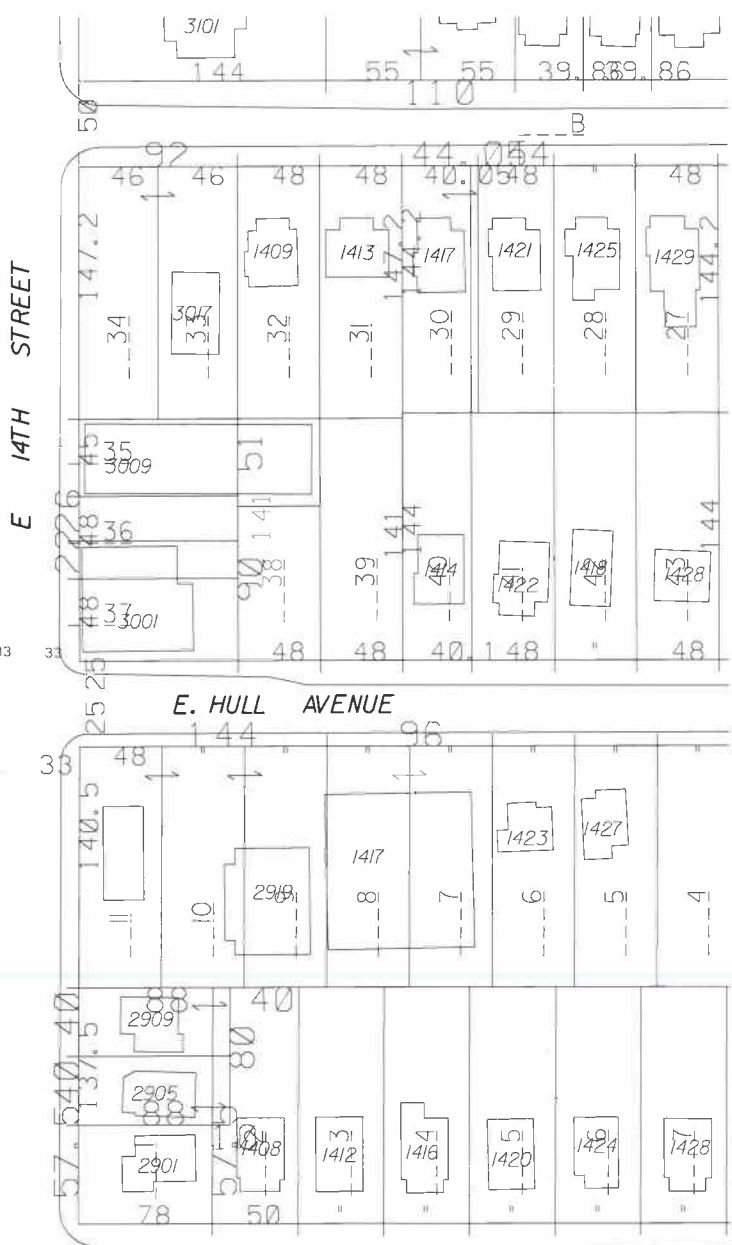
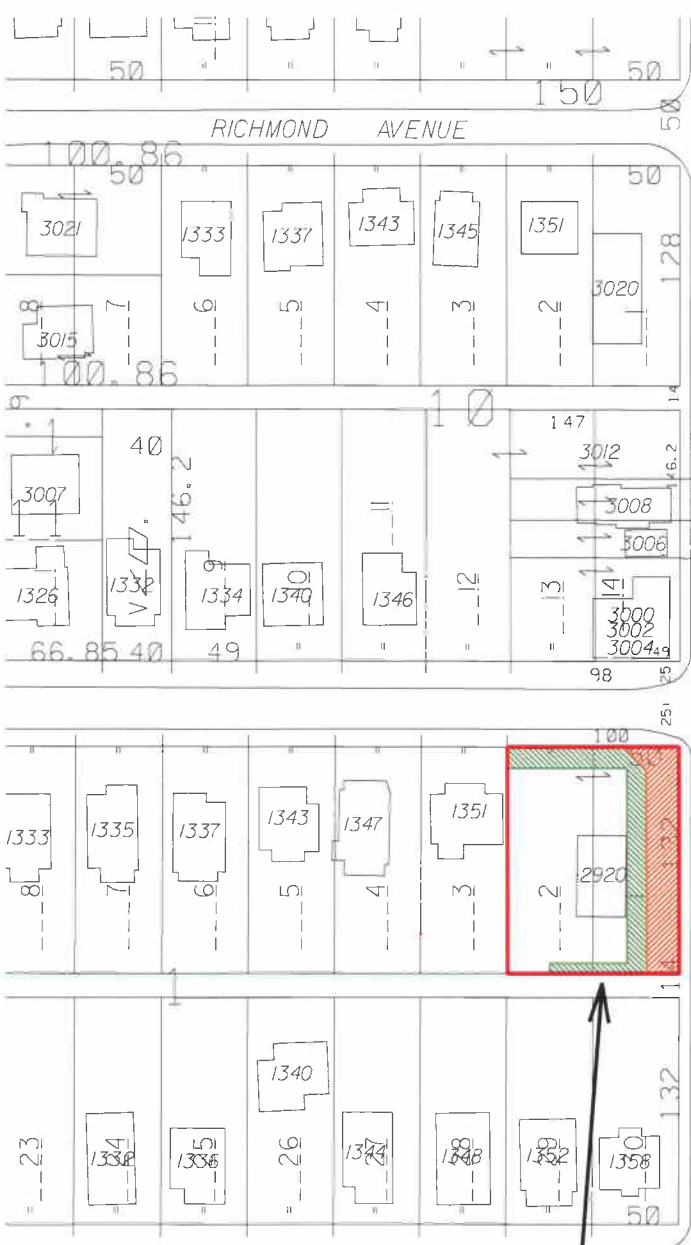
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

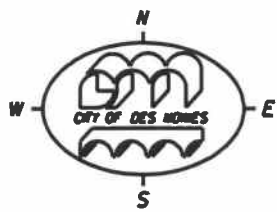
| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| KIERNAN | | | | |
| MAHAFFEY | | | | |
| VLASSIS | | | | |
| MEYER | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____ Mayor | | | | |

psw




**PROPERTY
LOCATION**

Farley

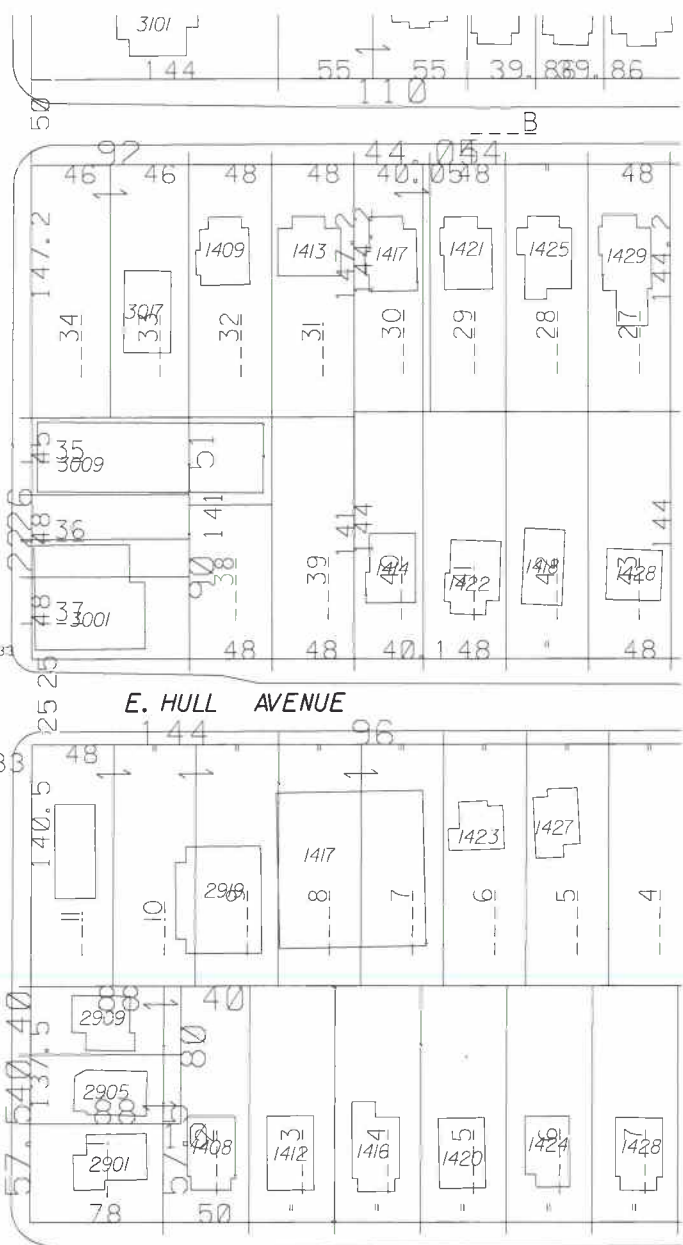


-  **TEMPORARY EASEMENT**
-  **FEE SIMPLE**

OPTIONAL ACQUISITION

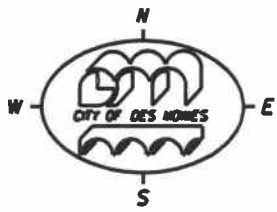
 **TOTAL FEE SIMPLE**

**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
ACTIVITY I.D. 32-2007-056**



PROPERTY LOCATION

Thrasher



TOTAL FEE SIMPLE

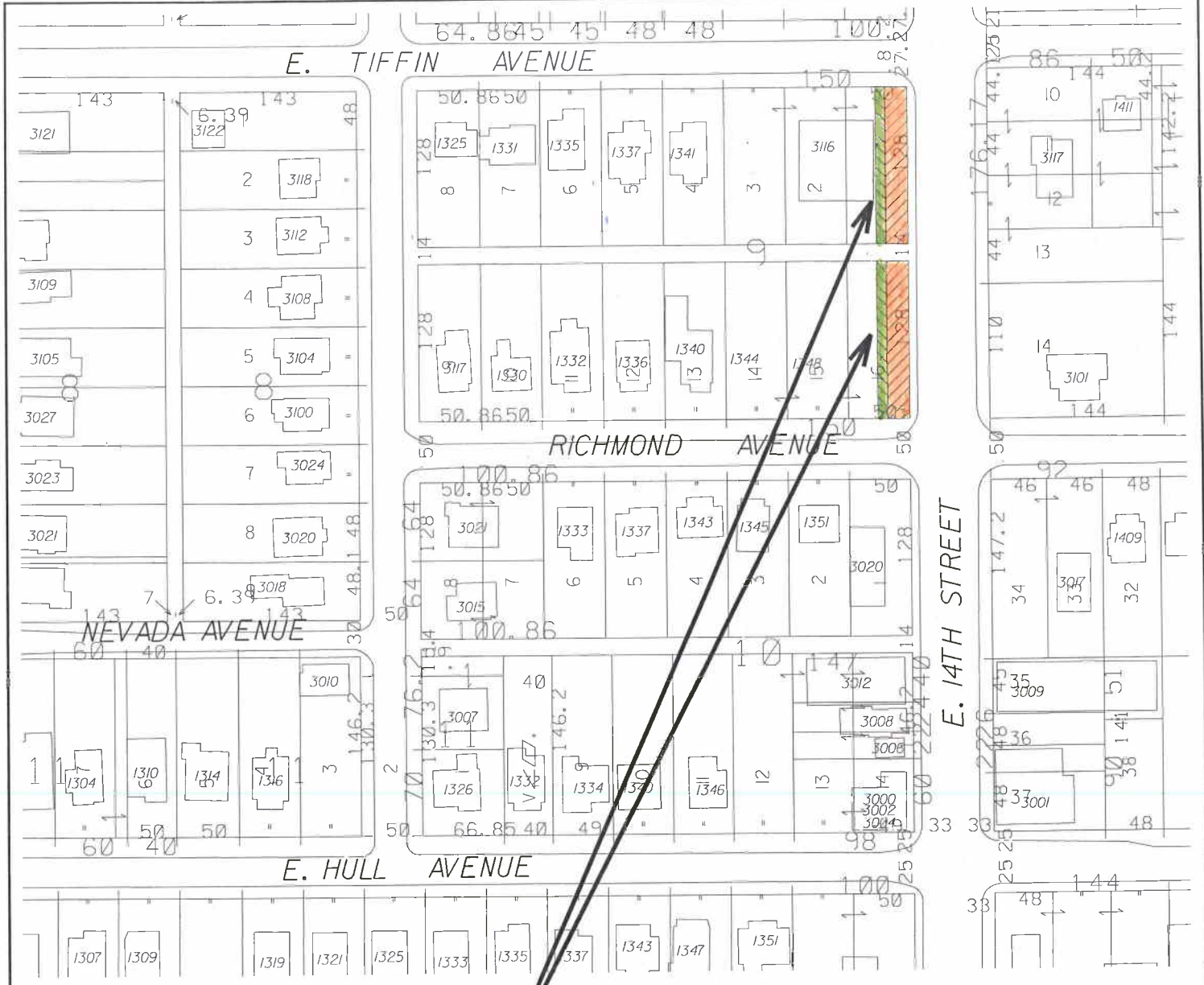


OPTIONAL ACQUISITION TEMPORARY EASEMENT

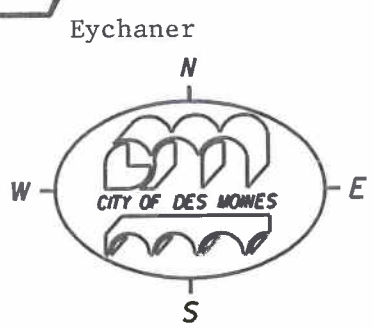


FEE SIMPLE

**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
ACTIVITY I.D. 32-2007-056**



PROPERTY LOCATIONS

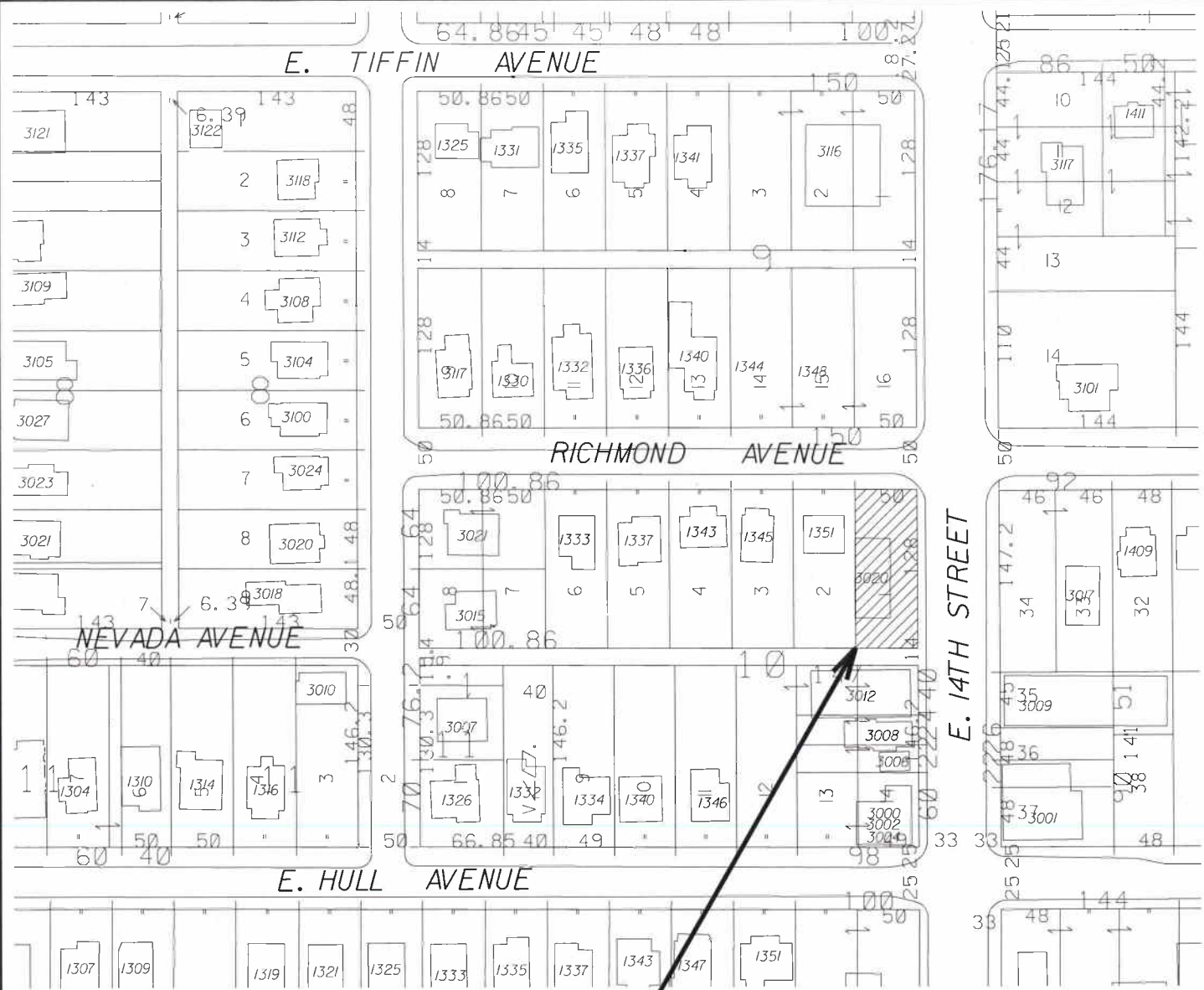


TEMPORARY EASEMENT



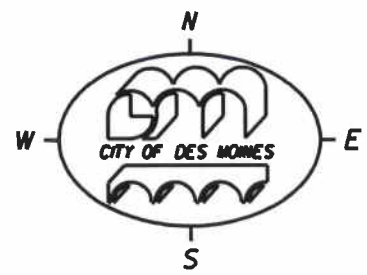
FEE SIMPLE

**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
ACTIVITY I.D. 32-2007-058**

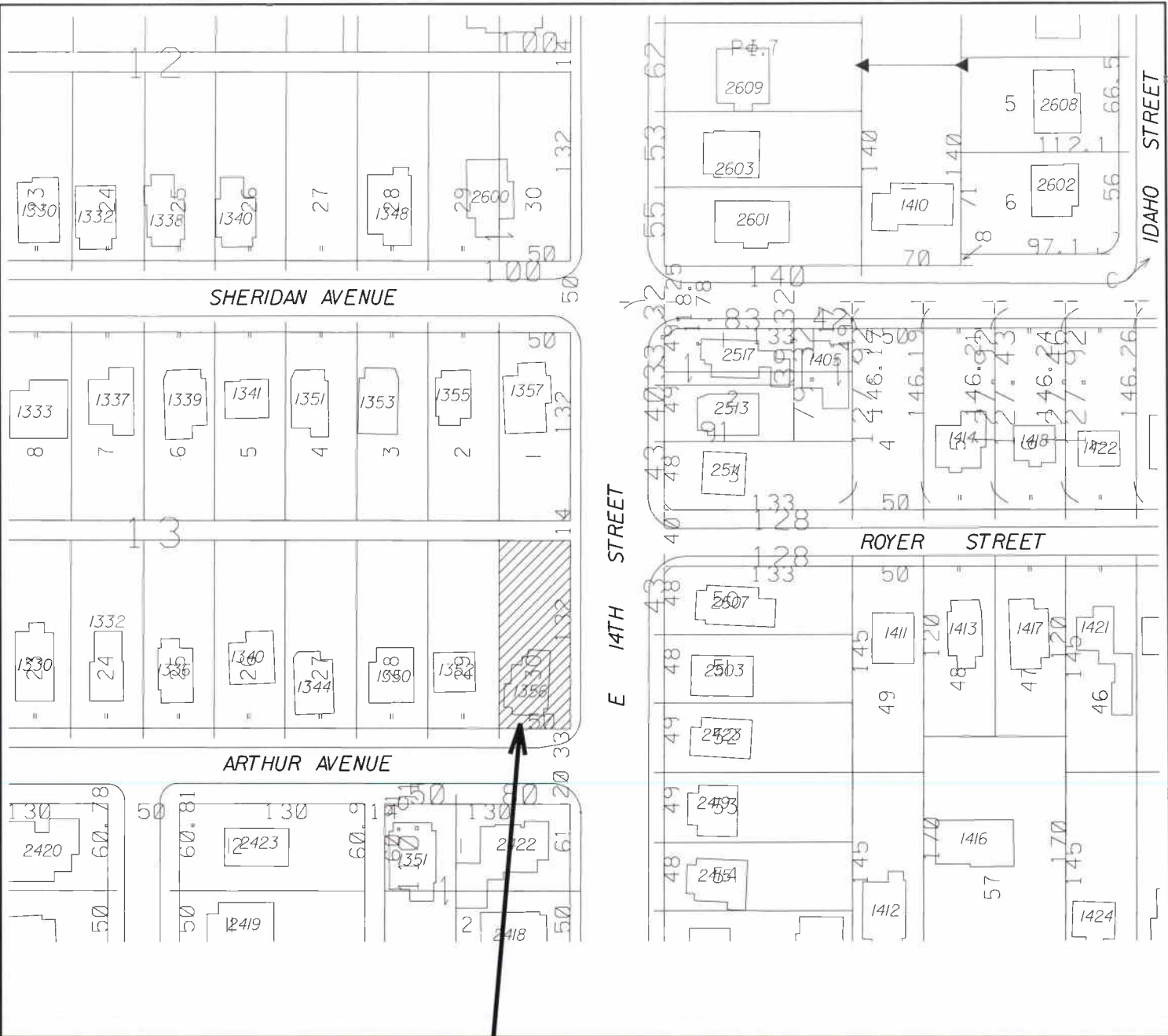


**PROPERTY
LOCATION**

Overton

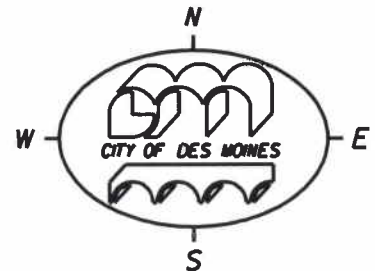


**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
3020 E. 14TH STREET
ACTIVITY I.D. 32-2007-057**

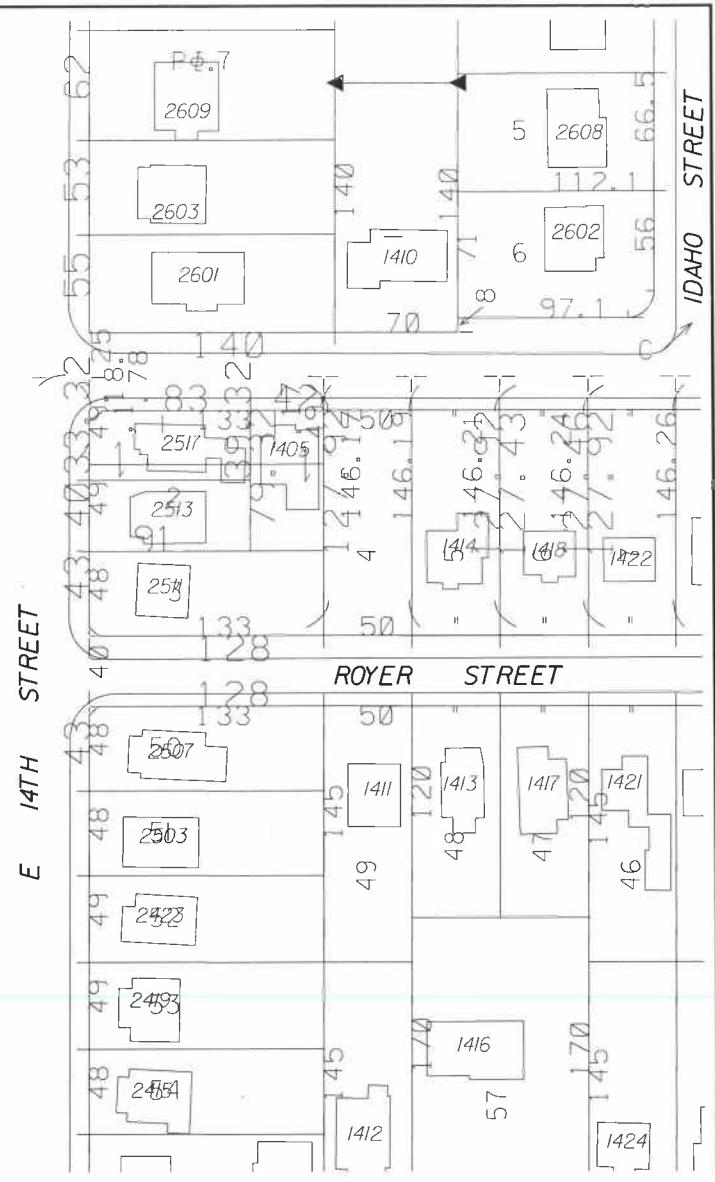
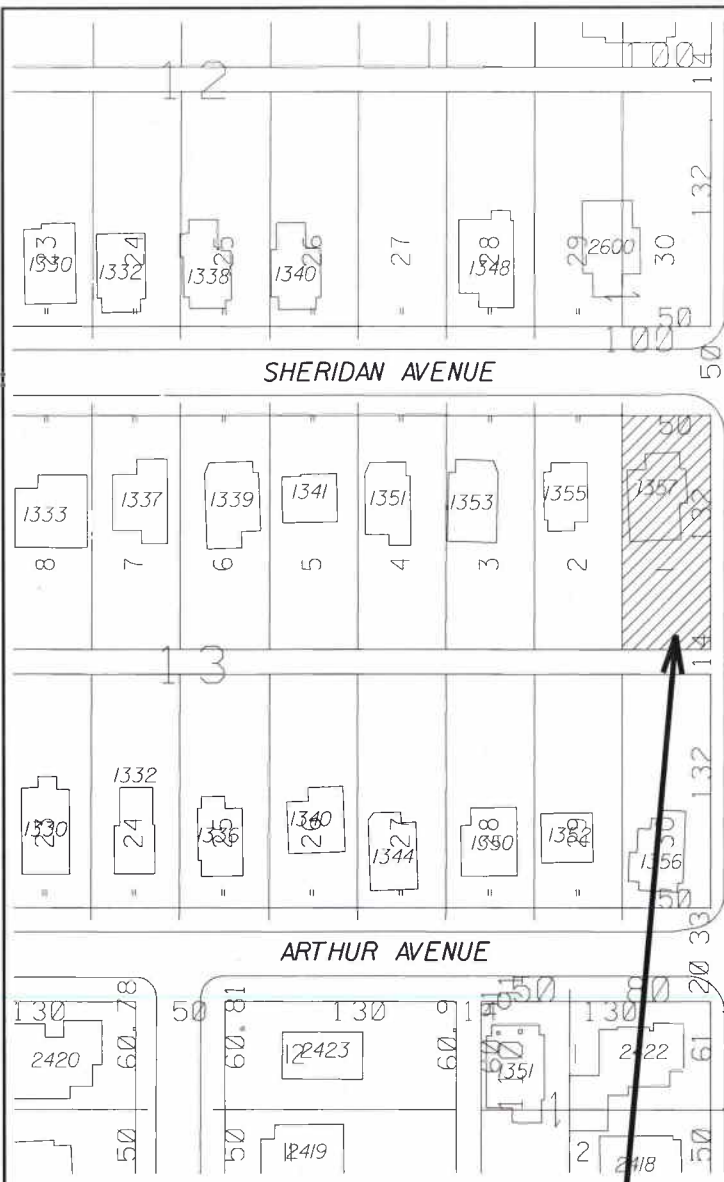


**PROPERTY
LOCATION**

Wright

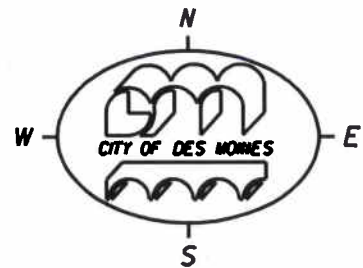


**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
1356 ARTHUR AVE.
ACTIVITY I.D. 32-2007-055**



**PROPERTY
LOCATION**

Howard



**PROPERTY ACQUISITION
EAST 14TH STREET WIDENING
1357 EAST SHERIDAN AVE.
ACTIVITY I.D. 32-2007-052**

