

16 A

Date July 9, 2007

RESOLUTION ESTABLISHING FAIR MARKET VALUE AND AUTHORIZING ACQUISITION OF PROPERTY FROM GRAND VIEW COLLEGE LOCATED AT 2600 EAST 14TH STREET 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 property has been appraised by an independent appraisal firm, and the appraisal was 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:	Grand View College
Property Location:	2600 East 14 th Street
Property Interests to be Acquired:	Partial Fee Simple & Temporary Easement for Construction
Suggested Fair Market Value:	\$37,700.00

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

That the valuation listed and identified above as “Suggested Fair Market Value” is hereby established as the fair market value of the property listed herein.

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

That the property 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.

If the property owner agrees to convey the property to the city in an amount based on the established fair market value, including an approved administrative settlement, or if a

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E. 14th Widening – Arthur to Tiffin – FMV – Grand View College: Page 2

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.

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. 07 - 406)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
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

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

CERTIFICATE

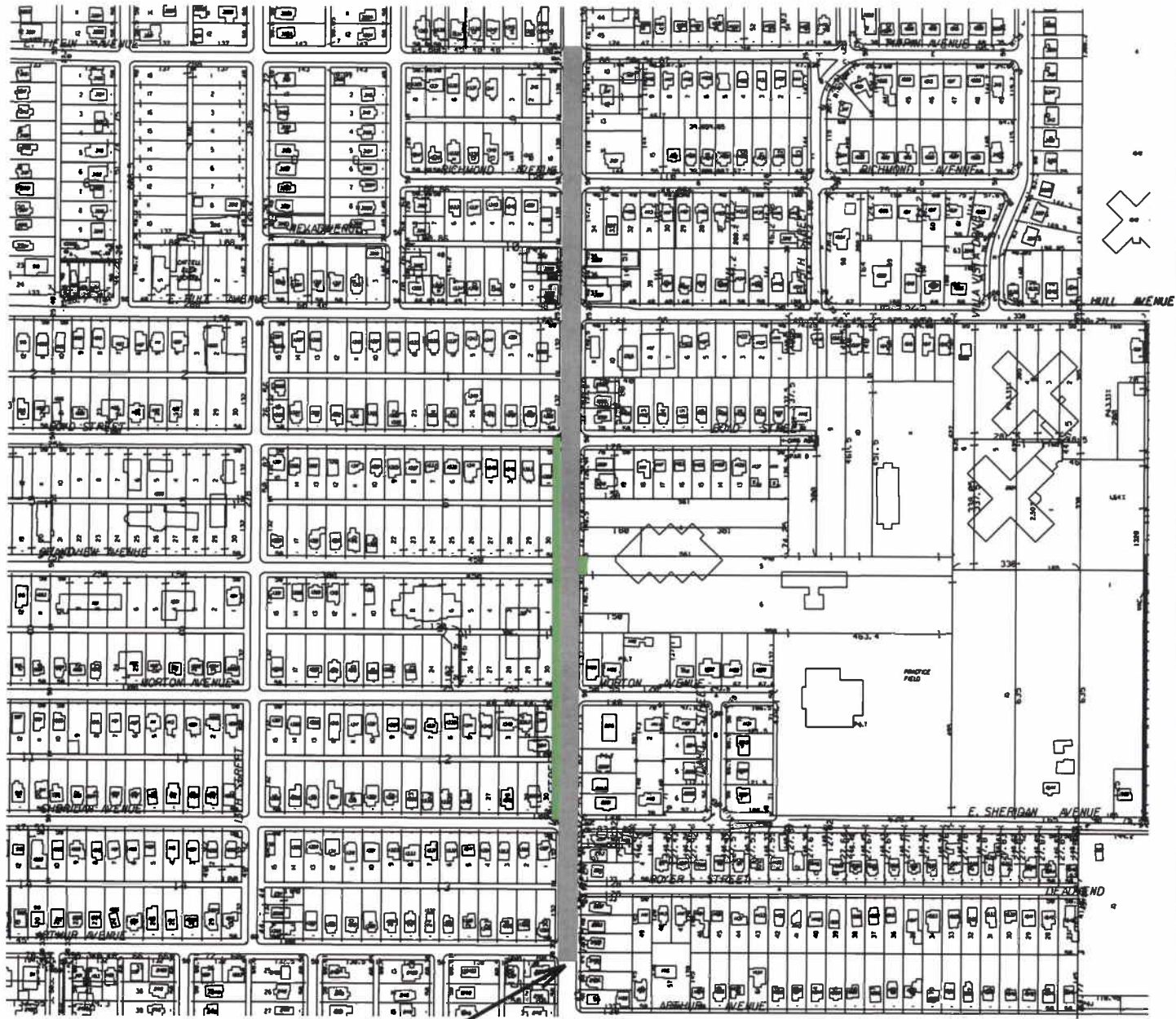
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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


MOTION CARRIED APPROVED

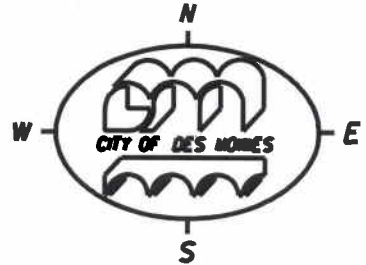
Mayor

City Clerk



PROJECT LOCATION

 **GRANDVIEW COLLEGE:**
**Partial Fee, Permanent and
 Temporary Easement Areas**



**PROPERTY ACQUISITION
 EAST 14TH STREET WIDENING
 ARTHUR AVE. TO EAST TIFFIN AVE.
 ACTIVITY I.D. 32-2007-053**