Roll Call Number	Agenda Item Numb	n Number
		د.
Date July 26, 2010		

AUTHORIZATION TO PROCEED WITH ACQUISITION OF THE NECESSARY PROPERTY INTERESTS FOR THE 45TH STREET RESURFACING – SOUTH OF GRAND PROJECT BY GIFT, NEGOTIATION, OR CONDEMNATION

WHEREAS, the City's Engineering Department has determined that it is necessary to acquire right-of-way in connection with the 45th Street Resurfacing – South of Grand Project; and

WHEREAS, the City's Real Estate Division of the Engineering Department will acquire the necessary right-of-way for this project; and

WHEREAS, after the design is completed and right-of-way needs are determined, the proposed fair market value of the property interests to be acquired will be submitted to the City Council or the City Manager, as applicable, for approval and authorization to proceed with the acquisitions.

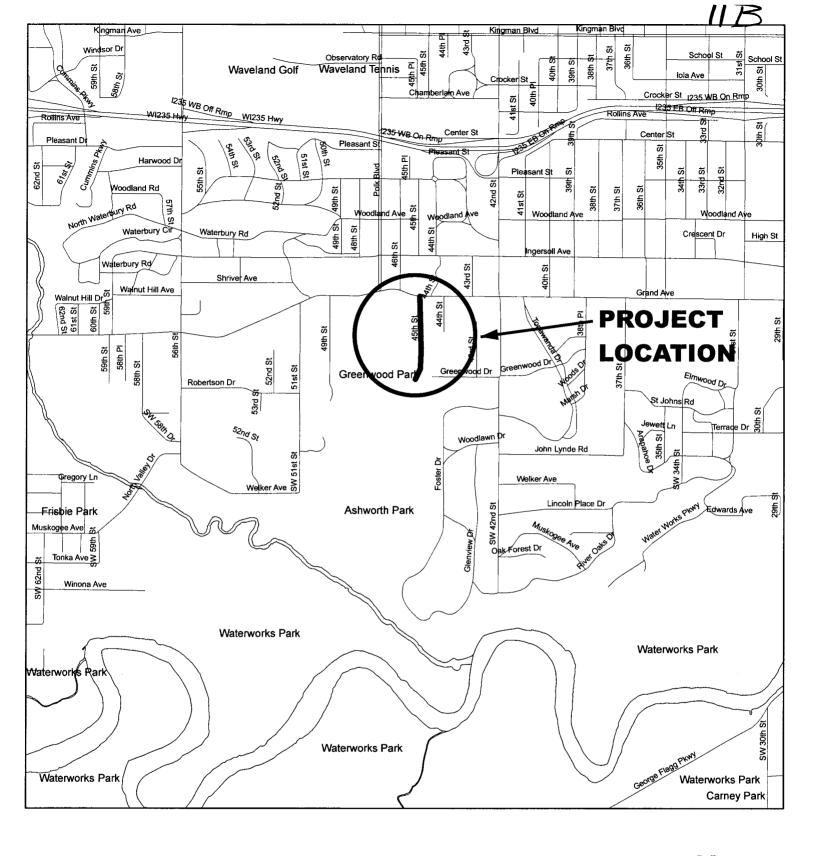
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

- 1. That the City Manager be and is hereby authorized to proceed with the necessary activities and negotiations to acquire by gift, negotiation, or condemnation the necessary property interests for construction of the 45th Street Resurfacing South of Grand Project, subject to approval by this Council, or approval of the City Manager in accordance with Section 2-201 (c) and (d), of the Municipal Code of the City of Des Moines, Iowa, as appropriate.
- 2. That the property 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 assistance is hereby authorized.
- 3. That the fair market value of these parcels will be approved in accordance with established City policy. If the property owners agree 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 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.
- 4. 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.

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Date July	26, 201	0			
listed above t sign all neces	he appr sary rea oremen	oval and al estate tioned d	l accer docum ocume	otance of nents, and ents to th	d and directed to endorse upon the real estate documents if this Council, the Mayor is authorized and directed to d the City Clerk is further authorized and directed to e Real Estate Division Manager, who shall proceed to ate practices.
				_	is hereby authorized and directed to execute Maintain ats, if necessary.
		((Counc	cil Comn	nunication No. 10 46
		Mo	oved by	у	to adopt.
APPROV Glenna K Assistant	no f . Frank	TO FO	RM:		
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE COLEMAN GRIESS HENSLEY					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.
MAHAFFEY MEYER MOORE					IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
TOTAL MOTION CARRIED		1	A	PPROVED	

_ Mayor

_ City Clerk



45TH STREET RESURFACING SOUTH OF GRAND AVENUE

