

Date September 24, 2007

RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR ACQUISITION OF PROPERTY LOCATED AT 200 SE 3RD STREET FOR THE SOUTHEAST CONNECTOR PROJECT – SW SECOND TO SE SIXTH STREET PHASE

WHEREAS, on April 25, 2005, by Roll Call 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, the following property has been appraised by an independent appraisal firm, and the appraisal will be reviewed and approved by the Iowa Department of Transportation; and,

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

Titleholder:	Mid-America Development Company
Property Location:	200 SE 3rd Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Permanent Easement for Levee, Public Pedestrianway, Water, Sewer and Street Right-of-Way and a Temporary Easement for Construction
Suggested Fair Market Value:	\$193,700

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 shall further proceed with acquisition of the property through gift, negotiation or condemnation, as previously authorized, based upon the approved fair market value.

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 is hereby authorized.

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

★ Roll Call Number

Agenda Item Number

14

SE Connector – Mid-America Development - Page 2

Date September 24, 2007

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.

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

(Council Communication No. 07-578)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

Parcel Act ID: 32-2006-035
 2007/08 CIP, Street Improvements, SE Connector – SW
 2nd to SE 6th, STR214, Page 41

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

MOTION CARRIED

APPROVED

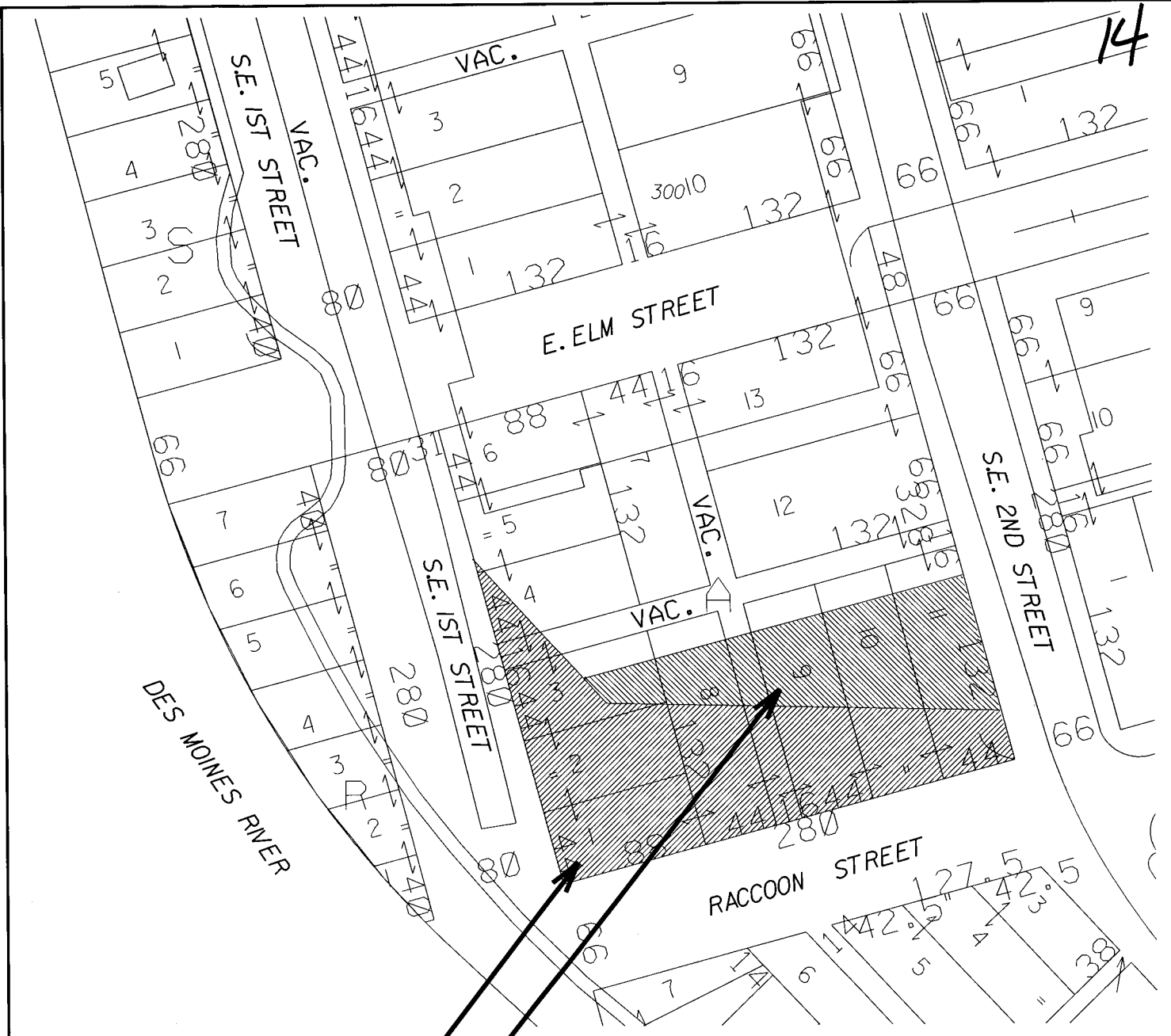
Mayor

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.

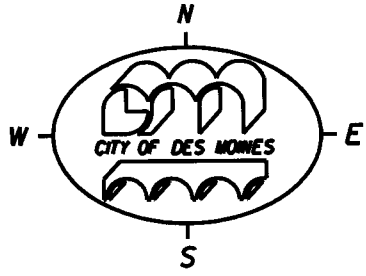
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



**PERMANENT
EASEMENT**

**TEMPORARY
EASEMENT**



**SOUTHEAST CONNECTOR PROJECT
SW 2ND & SW 6TH ST. PHASE
ACTIVITY I.D. 32-2006-035**