

★ **Roll Call Number**

**Agenda Item Number**

11

.....  
**Date** October 8, 2007

.....  
E. 29<sup>th</sup> & Hubbell Ave. Traffic Signal Upgrade

**AUTHORIZATION TO PROCEED WITH ACQUISITION OF THE NECESSARY  
RIGHT-OF-WAY AND EASEMENTS FOR THE EAST 29<sup>TH</sup> STREET AND HUBBELL  
AVENUE TRAFFIC SIGNAL UPGRADE PROJECT BY GIFT, NEGOTIATION, OR  
CONDEMNATION**

**WHEREAS**, on July 25, 2005, by Roll Call No. 05-1791, the City Council approved applications to the Iowa Department of Transportation for traffic safety funds to cover a portion of construction costs for multiple projects, including the East 29<sup>th</sup> Street and Hubbell Avenue Traffic Signal Upgrade; and

**WHEREAS**, on July 24, 2006, by Roll Call No. 06-1428, the City Council approved and authorized the execution of the Iowa Department of Transportation Agreement for the East 29<sup>th</sup> Street and Hubbell Avenue Traffic Signal Upgrade; and

**WHEREAS**, the design has been completed, the right-of-way acquisition needs have been determined, and the City's Real Estate Division of the Engineering Department will complete the acquisition of all property interests; and

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

1. That the Real Estate Division of the Engineering Department 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 East 29<sup>th</sup> Street and Hubbell Avenue Traffic Signal Upgrade 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

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

(COUNCIL COMMUNICATION NO. 07 - 608)

Moved by \_\_\_\_\_ to adopt.

Funding source: 2007-08 CIP, Traffic Control Improvements, City-Wide Signals, Channelization, and School Crossing Protection Program, Page Traffic Control Improvements - 5, TFC091.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

*PSW*

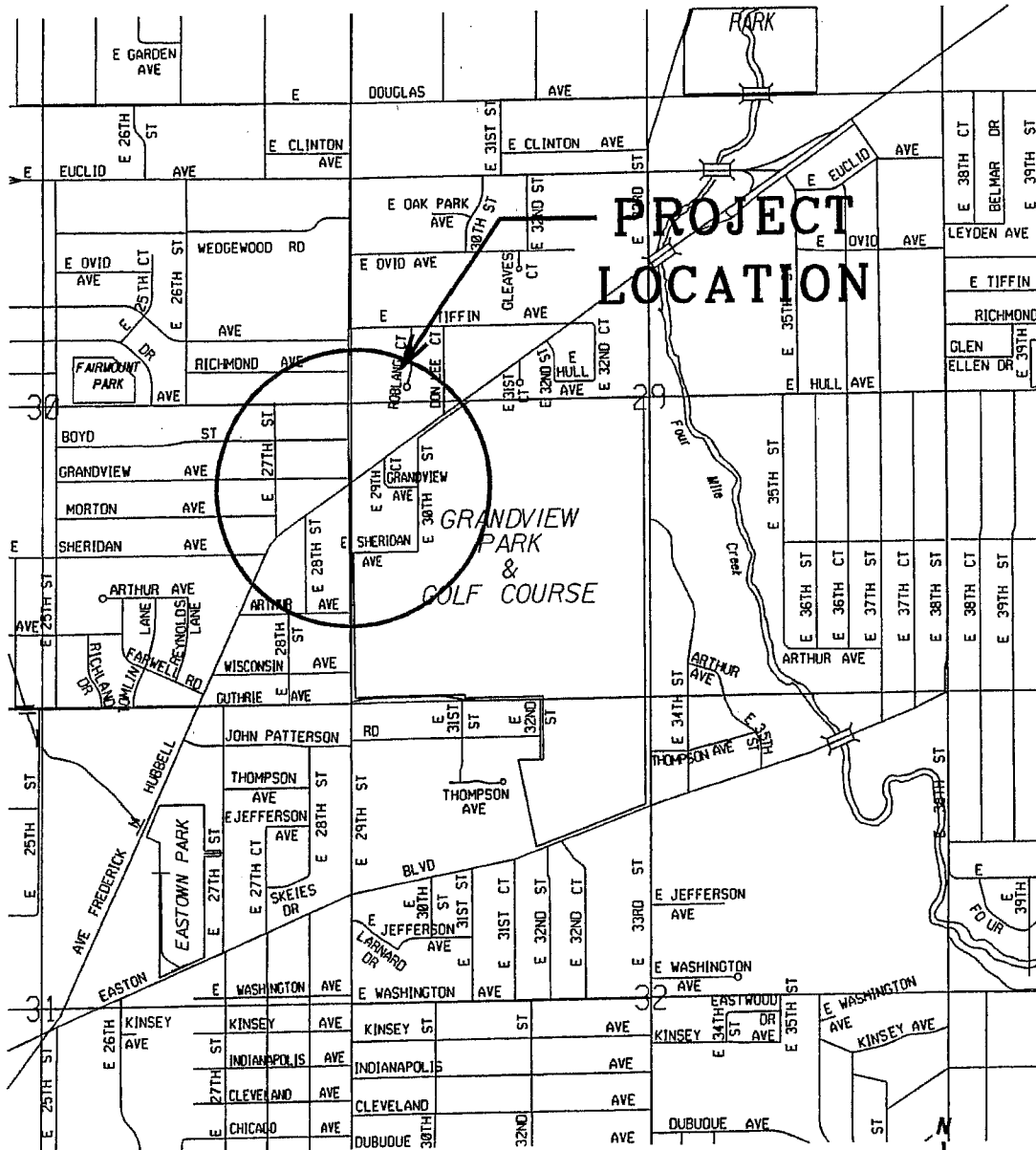
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
MEYER				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**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.

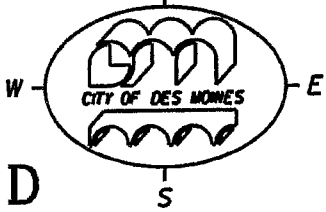
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk



**PROJECT  
LOCATION**

GRANDVIEW  
PARK  
&  
GOLF COURSE



**E. 29TH STREET AND  
HUBBELL AVENUE  
TRAFFIC SIGNAL UPGRADE**