

★ **Roll Call Number**

**Agenda Item Number**

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Scott Ave Bridge Over Leetown Creekway Replacement

**Date** November 19, 2007.....

**AUTHORIZATION TO PROCEED WITH ACQUISITION OF THE NECESSARY RIGHT-OF-WAY AND EASEMENTS FOR THE SCOTT AVENUE BRIDGE OVER LEETOWN CREEKWAY REPLACEMENT PROJECT BY GIFT, NEGOTIATION, OR CONDEMNATION**

**WHEREAS**, on September 11, 2006, by Roll Call No. 06-1742, the City Council approved a Professional Services Agreement between the City of Des Moines and Shuck Britson Inc. for evaluation, design, and construction phase services for replacement of the Scott Avenue Bridge over Leetown Creekway; and

**WHEREAS**, the preliminary design has been completed and the right-of-way acquisition needs have been determined; and

**WHEREAS**, after right-of-way authorization has been granted, the necessary property interests will be valued and 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 Real Estate Division of the Engineering Department be and is hereby authorized to proceed with the necessary activities and negotiations to acquire from various owners by gift, negotiation, or condemnation the necessary right-of-way and easements for construction of the Scott Avenue Bridge over Leetown Creekway Replacement 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 all applicable local, state and federal regulations, and that relocation assistance is hereby authorized, if necessary.
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.

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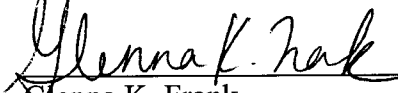
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 Scott Ave Bridge Over Leetown Creekway Replacement

(Council Communication No. **07-685**)

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

2007-08 CIP, Page Bridge Viaduct  
 Improvements - 13, BRV037, Scott  
 Avenue Bridge over Leetown  
 Creekway, G.O. Bonds.

APPROVED AS TO FORM:

  
 Glenna K. Frank  
 Assistant City Attorney

*psw*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLAISIS				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	
_____ Mayor				

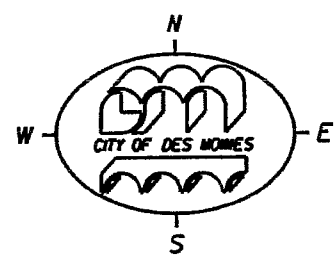
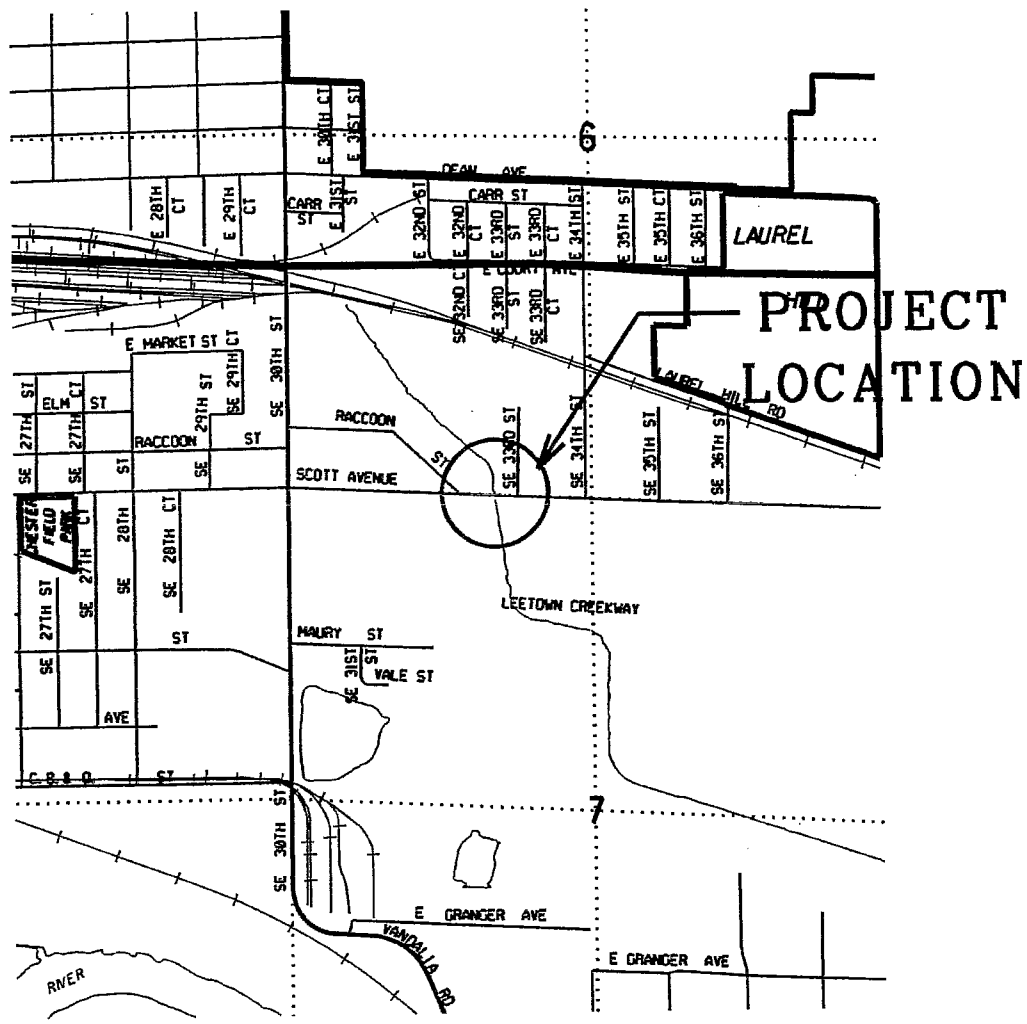
**CERTIFICATE**

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

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# REPLACEMENT OF THE SCOTT AVENUE BRIDGE OVER LEETOWN CREEKWAY