
Date December 17, 2007

ACCEPTANCE OF REAL ESTATE DOCUMENTS AND ACQUISITION SETTLEMENT OF \$1,395,000 FOR UNDEVELOPED LAND LOCATED AT THE NORTHWEST CORNER OF SW 42ND STREET AND ARMY POST ROAD FROM DODGE INVESTMENT COMPANY, INC. FOR THE AIRPORT RUNWAY 13R/31L PROJECT.

WHEREAS, on September 3, 2003, by Resolution No. A03-226, the Airport Board of the City of Des Moines authorized the development of a voluntary acquisition program on a hardship basis for properties needed for the future construction of the initial project phase of the 13R/31L Runway Project; and

WHEREAS, on December 2, 2003, by Resolution No. A03-285, the Airport Board of the City of Des Moines approved and authorized the design of a public improvement project to construct Runway 13R/31L and authorized the City Manager to proceed with the acquisition of properties needed for the project; and

WHEREAS, on January 6, 2004, by Resolution No. A04-16, the Airport Board of the City of Des Moines approved the Voluntary Acquisition Program on a hardship basis for the properties needed for the Runway 13R/31L Project; and

WHEREAS, on June 1, 2004, by Resolution No. A04-103, the Airport Board of the City of Des Moines approved an Acquisition Program to include properties on a voluntary basis for the properties needed for the Runway 13R/31L Project; and

WHEREAS, on March 1, 2005, by Resolution No. A05-42, the Airport Board of the City of Des Moines recommended to City Council the authorization to proceed with the acquisition of the remaining properties by gift, sale, or eminent domain which are needed for the future Runway 13R/31L; and

WHEREAS, on March 7, 2005, by Roll Call No. 05-541, the City Council of the City of Des Moines, Iowa, approved the acquisition of properties by gift, sale, or eminent domain for the Airport Runway 13R/31L Project; and

WHEREAS, on August 7, 2007, by Resolution No. A07-137, the Airport Board of the City of Des Moines established fair market value and authorized acquisition of vacant property at the Northwest corner of SW 42nd Street and Army Post Road owned by Dodge Investment Co., Inc. of Des Moines in the amount of \$1,280,000 pursuant to the Runway 13R/31L; and

WHEREAS, on December 4, 2007, by Resolution No. A07-203, the Airport Board of the City of Des Moines recommended approval to City Council and authorization to make offer pursuant to a property acquisition settlement in the amount of \$1,395,000 for vacant property located at the northwest corner of SW 42nd Street and Army Post Road owned by Dodge Investment Company, Inc.; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that following listed documents are hereby approved and accepted as follows:

Property Owner:
Property Location:

Dodge Investment Co., Inc.
NW Corner of SW 42nd Street and Army Post Road
Tax Parcels 120 0752540400 & 120 07525401000

Date December 17, 2007

Document Type: Revised Offer to Purchase Real Estate and Acceptance
 Document Type: Warranty Deed
 Consideration: \$1,395,000.00 plus closing costs

That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the 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 the transactions in accordance with standard real estate practices.

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 Mayor is authorized and directed to execute the Revised Offer and the City Clerk is hereby authorized and directed to endorse upon the Real Estate documents listed above the approval and acceptance of this Council and 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. 07-742)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Activity ID: 27-2002-026
 2007-08 CIP, Airport Improvements,
 Page 29, Runway 13R/31L, Land
 Acquisition, AIR117

 David A. Ferree
 Assistant City Attorney

DFW

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

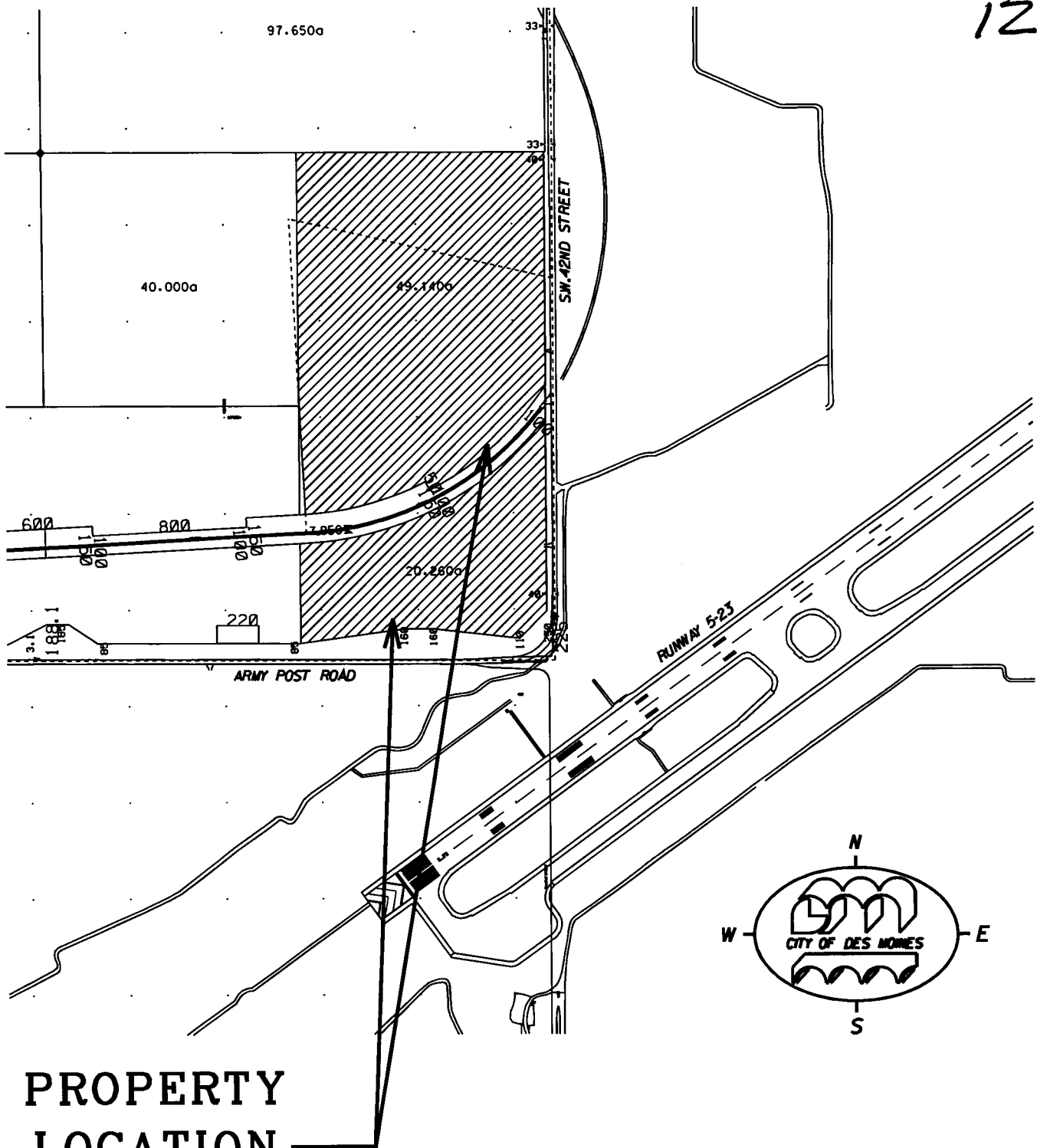
CERTIFICATE

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.

 Mayor

 City Clerk



PROPERTY LOCATION

**PROPERTY ACQUISITION
AIRPORT RUNWAY 13R/31L
ACTIVITY I.D. 27-2002-034**