

Date December 16, 2019

**APPROVING PAYMENT TO 3121 RF, LLC, AND K.R.U. LTD., d/b/a FEED ENERGY TO RESOLVE A CONDEMNATION DISPUTE**

WHEREAS, the City has condemned a portion of the property located at 3121 Dean Avenue for the purpose of a permanent easement for Storm Sewer and Surface Water Flowage as part of the Leetown Creekway Channel Improvements Project; and

WHEREAS, a dispute has arisen over the proper valuation of the property between the Owners and the City; and

WHEREAS, a settlement agreement has been negotiated with the Owners of the property and their attorney; and

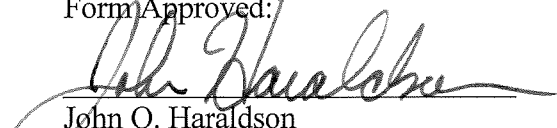
WHEREAS, it is the opinion of the Legal Department that payment would be in the best interest of the City of Des Moines.

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

That the Legal Department is authorized to enter into the settlement agreement negotiated in this matter, execute any documents necessary to effectuate the terms of the settlement agreement, and that payment of the settlement amount hereby is approved and the Finance Director is authorized and directed to draw a warrant accordingly.

MOVED BY \_\_\_\_\_ TO ADOPT

Form Approved:

  
John O. Haraldson  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, P. Kay Cmelik, 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