

★ Roll Call Number

08-027

Agenda Item Number

12

SE Connector – Multiple Properties - Page 1

Date January 7, 2008

**RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR
MULTIPLE PROPERTIES FOR THE SOUTHEAST CONNECTOR
PROJECT - SW 2ND TO SE 6TH 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, on November 9, 2007, the City's Engineering Department received authorization from the Iowa Department of Transportation to commence acquisition of all necessary property interests for this project; and

WHEREAS, the following properties have been appraised by an independent appraisal firm, and the appraisals have been reviewed and approved by the Iowa Department of Transportation; and

WHEREAS, based upon the appraisals, the suggested fair market values of the properties are as follows:

Titleholder:	Arthur C. Hedberg, Jr.
Property Location:	421-423 SE 4 th Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 48,500

Titleholder:	Wesley Investments, Inc.
Property Location:	413-415 SE 5 th Street and 508 Allen Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 69,000

Titleholder:	Benjamin and Louis Zenti
Property Location:	401-407 SE 4 th Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 450,000

Titleholder:	Two Rivers Development, LC
Property Location:	412-418 SE 3 rd Street and 300 Allen Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 137,000

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Titleholder:	Wyoming 302 (Katherine Halloran)
Property Location:	417 SE 3 rd Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 52,000

Titleholder:	Robert F. and Ruth Davis
Property Location:	451 SE 2 nd Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 71,000

Titleholder:	Catherine Starks
Property Location:	215 Raccoon Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 23,000

Titleholder:	Lena M. Thomas
Property Location:	420 SE 3 rd Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 35,000

Titleholder:	John W. Finney
Property Location:	419 SE 3 rd Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 24,000

Titleholder:	Onimosso J. Zepeda
Property Location:	416 SE 4 th Street, Des Moines, IA 50309
Property Interests To Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$ 47,000

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

That the valuations listed and identified above as "Suggested Fair Market Value," are hereby established as the fair market values of the properties listed herein.

That the Real Estate Division of the Engineering Department shall further proceed with acquisition of the properties through gift, negotiation or condemnation, as previously authorized, based upon the approved fair market values.

That the properties 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.

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If the property owners agree to convey the properties 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.

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. 08-014)

Moved by Hensley to adopt; refer to the City Manager to review the process and affirm the Council goal to retain as many businesses and residents as possible.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

Act ID: 32-2005-011 possible.
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

T. M. Franklin
 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.

Diane Rauh
 City Clerk