

★ **Roll Call Number**

Agenda Item Number

08-744

69 B

SuperBlock Master Plan: Page 1

Date April 21, 2008

**RESOLUTION AUTHORIZING VOLUNTARY ACQUISITION OF PROPERTY
FOR THE SUPERBLOCK MASTER PLAN BY GIFT OR NEGOTIATION**

WHEREAS, on August 6, 2007, by Roll Call No. 07-1559, the City Council initiated the establishment of a "SuperBlock" Technical Committee and Steering Committee to develop a master plan for the area bounded by Army Post Road, County Line Road, SW 9th Street and SE 5th Street ("Super Block") for consideration by the City Council during December 2007; and

WHEREAS, on January 7, 2008, by Roll Call No. 08-077, the City Council extended the completion date for the planning process until April 2008 in order to allow the SuperBlock Technical and Steering Committees to sufficiently evaluate the numerous land use options; and

WHEREAS, the Steering Committee at their February 27, 2008 meeting voted 14-0 in favor of the conceptual "SuperBlock" Master Plan, which incorporates Visions and Objectives approved by the City Council by Roll Call No. 07-1559 to guide the master planning process; and

WHEREAS, on March 10, 2008 the City Council received, filed, and referred the proposed conceptual "SuperBlock" Master Plan to various boards for review and recommendation by Roll Call No. 08-434; and

WHEREAS, on March 25, 2008, the Park and Recreation Board recommended approval of the conceptual "SuperBlock" Master Plan by Resolution No. 08-030; and

WHEREAS, on April 3, 2008, the Plan and Zoning Commission recommended approval of the conceptual "SuperBlock" Master Plan; and

WHEREAS, on April 21, 2008, by Roll Call No. 08-743 (Item "A"), the City Council approved the conceptual "SuperBlock" Master Plan; and

WHEREAS, after the property acquisition needs are determined in accordance with the "SuperBlock" Master Plan, 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:

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the property needed in accordance with the "SuperBlock" Master Plan through gift or negotiation based upon the approved fair market value.

★ **Roll Call Number**
08-744

Agenda Item Number
69B

SuperBlock Master Plan: Page 2

Date April 21, 2008

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 is hereby authorized.

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, 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 - 224)

Moved by Meyer to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
KIERNAN	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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

MOTION CARRIED 7-0-0 APPROVED
T. M. Franklin
 Mayor