

★ Roll Call Number  
09.347

Agenda Item Number  
66

Date February 23, 2009

**RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY LOCATED  
AT 2715 DEAN AVENUE FOR THE FIRE DEPARTMENT LOGISTICS AND  
TRAINING FACILITY PROJECT**

**WHEREAS**, the Des Moines Fire Department needs to replace its current maintenance shop located to the rear of Fire Station 1 at 900 Mulberry Street, and both the shop and the fire station, which also currently serves as the administration office, were built in 1933 and have outlived their useful life, do not provide a training facility for the Fire Department, and no longer adequately accommodate Fire Department requirements; and

**WHEREAS**, the Fire Department plans to construct a Fire Department Logistics and Training Facility in order to replace the maintenance shop, offer a training facility for the department, and more efficiently perform the functions required of the department by locating these critical functions in one location; and

**WHEREAS**, on September 22, 2008, by Roll Call No. 08-1649, the City Council of the City of Des Moines authorized the acquisition, by gift, negotiation, or condemnation, of the property required to construct this project, after due and timely notice of said resolution was sent to property owners in accordance with the requirements of Iowa Code Section 6B.2D; and

**WHEREAS**, the following property has been appraised by an independent appraisal firm and based upon the appraisal, the suggested fair market value of the property is as follows:

Titleholder:	Andrew J. and Ruth A. Holt
Property Location:	2715 Dean Avenue, Des Moines, IA
Property Interest(s) to be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$313,000

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

That the valuation listed and identified above as "Suggested Fair Market Value" is hereby established as the fair market value of the property listed herein.

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the property through gift, negotiation or condemnation based upon the approved fair market value.

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.

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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.

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. 09- 099 )

Moved by Meyer to adopt.

APPROVED AS TO FORM:

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

*RSW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
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.

Y. M. Franklin Mayor

Diane Rauh City Clerk