

★ Roll Call Number

09-536

Agenda Item Number

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Date April 6, 2009

**RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR MULTIPLE  
PROPERTIES FOR THE SOUTHEAST CONNECTOR PROJECT – SE 6<sup>TH</sup> STREET  
TO SE 14<sup>TH</sup> STREET PHASE**

**WHEREAS**, on April 25, 2005, by Roll Call No. 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 the Southeast Connector Project; and

**WHEREAS**, on November 9, 2007, the City 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 appraiser, and those appraisals have been reviewed by the Iowa Department of Transportation; and

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

Titleholder:	Christine Negrete and Louise Negrete
Property Location:	619 SE 12 <sup>th</sup> Street, Des Moines, IA 50309-4911
Property Interest to be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$41,000 (Plus Closing Costs and Relocation Expenses)

Titleholder:	Melanie M. Mathes
Property Location:	1201 Scott Avenue, Des Moines, IA 50309-4923
Property Interest to be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	\$10,000 (Plus Closing Costs and Relocation Expenses)

**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 is authorized and directed to acquire the properties through gift, negotiation or condemnation 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. 09-199)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

2009-10 CIP, Street Improvements,  
SE Connector - SE 6<sup>th</sup> to SE 14<sup>th</sup>,  
STR219, Page 36

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
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

T. M. Franklin Mayor