



Roll Call Number

09-1435

Agenda Item Number

24

Date August 10, 2009

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**APPROVING PROPERTY ACQUISITION SETTLEMENT AND PAYMENT OF  
CONDEMNATION AWARD TO ANDREW J. AND RUTH ANNE HOLT FOR PROPERTY  
LOCATED AT 2715 DEAN AVENUE FOR THE  
FIRE DEPARTMENT LOGISTICS AND TRAINING FACILITY**

**WHEREAS**, on September 22, 2008, by Roll Call No. 08-1649, the City Council of the City of Des Moines, Iowa, authorized the acquisition by gift, negotiation or condemnation, of the property located at 2715 Dean Avenue and owned by Andrew J. and Ruth Anne Holt for the Fire Department Logistics and Training Facility Project; and

**WHEREAS**, on February 23, 2009, by Roll Call No. 09-347, the City Council established Fair Market Value for 2715 Dean Avenue to be \$313,000, which value was later increased to the amount of \$330,000 by the City's independent appraiser in updating for condemnation proceedings; and

**WHEREAS**, the City Engineering Department and its Real Estate Division negotiated a settlement with Andrew J. and Ruth Anne Holt by which the City will pay consideration in the total amount of \$412,500, which represents a reasonable and appropriate price to be paid for the property to be acquired and which is the amount awarded by the compensation commissioners at the condemnation hearing held on July 22, 2009; and

**WHEREAS**, approval of this settlement and payment of the condemnation award, as required by the Iowa Code, 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 settlement and condemnation award calling for payment of the amount of \$412,500 for acquisition of the property located at 2715 Dean Avenue for the Fire Department Logistics and Training Facility Project is hereby approved.

That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transaction 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 the transactions in accordance with standard real estate practices.

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(Council Communication No. 09-564)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

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

MOTION CARRIED APPROVED  
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