\star	Roll Call Number
	10-1833

Agenda	Item Number
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East Indianola Avenue Widening - Phase 2

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Date November 8, 2010

RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY LOCATED AT 4301 INDIANOLA AVENUE FOR THE EAST INDIANOLA AVENUE WIDENING PROJECT – PHASE 2

WHEREAS, on October 8, 2007, by Roll Call No. 07-1994, the City Council of the City of Des Moines approved the East Indianola Avenue Corridor Study; and

WHEREAS, on December 17, 2007, by Roll Call No. 07-2416, City Council authorized acquisition of the necessary property interests for the East Indianola Avenue Widening Project; and

WHEREAS, on March 10, 2008, by Roll Call No. 08-435, the City Council approved the design concept for bicycle and pedestrian accommodation on the East Indianola Avenue Widening Project – S.E. 14th Street to Army Post Road; and

WHEREAS, on June 28, 2010 by Roll Call No. 10-1021, the City Council approved and authorized the execution of Iowa Department of Transportation agreement 1-10-STPU-010 for the East Indianola Avenue Widening Project – Phase 2; and,

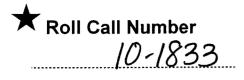
WHEREAS, the following property has been appraised by an independent appraisal firm, and the appraisal will be reviewed and approved by the Iowa Department of Transportation; and

WHEREAS, based upon the appraisal, the suggested fair market value of the property is as follows:

Titleholder:ARC IV SPEProperty Location:4031 Indianola AvenueProperty Interest(s) to be Acquired:Temporary Easement and Fee - Simple Interest (Partial)Suggested Fair Market Value:\$43,316

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

- 1. 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.
- 2. 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.



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- 3. 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.
- 4. 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.
- 5. 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.
- 6. 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.

(Council Communication No. 10-668 to adopt. Moved by APPROVED AS TO FORM: Frank, Assistant City Attornev Glenna K. 0-1 ABSENT YEAS NAYS PASS COUNCIL ACTION CERTIFICATE COWNIE I, DIANE RAUH, City Clerk of said City hereby COLEMAN certify that at a meeting of the City Council of GRIESS said City of Des Moines, held on the above date, among other proceedings the above was adopted. HENSLEY MAHAFFEY IN WITNESS WHEREOF, I have hereunto set my MEYER hand and affixed my seal the day and year first MOORE above written. TOTAL APPROVED na fa When WWALL Mayor City Clerk