



Roll Call Number

Agenda Item Number

11-01665

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Date April 25, 2011

RESOLUTION ESTABLISHING REVISED FAIR MARKET VALUE OF PROPERTY LOCATED AT 1445 MICHIGAN STREET FOR CONSTRUCTION OF A PUMP STATION EMERGENCY GENERATOR IN THE CENTRAL PLACE BUSINESS PARK

WHEREAS, on January 25, 2010, by Roll Call No. 10-104, the City Council of the City of Des Moines authorized the acquisition, by gift, negotiation, or condemnation, of the real property required to construct this project; and

WHEREAS, on March 8, 2010, by Roll Call 10-345, the City Council of the City of Des Moines established fair market value of one parcel located at 1445 Michigan Street; and

WHEREAS, the property at 1445 Michigan Street consists of two vacant parcels, and the original appraisal has been updated and revised to include both parcels based on the City's determination that the remaining parcel is an uneconomical remnant that the City must offer to purchase in accordance with Iowa Code Chapter 6B; and

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

Titleholder: James Paul Scrivner
Property Location: 1445 Michigan Street, Des Moines, IA 50314
Property Interests to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$30,900

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 interest listed herein.

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

That the property interest 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 applicable.

If the property owner agrees to convey the property interest 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

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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 this transaction 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 11- 228)

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	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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.

T. M. Franklin Mayor

Diane Rauh City Clerk