

★ **Roll Call Number**
..... 11-1439

Agenda Item Number
..... 16

Date August 29, 2011

RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY LOCATED IN THE VICINITY OF 1610 SCOTT AVENUE FOR THE SOUTHEAST CONNECTOR PROJECT – SE 14TH STREET TO SE 30TH STREET AND FOR THE MUNICIPAL SERVICE CENTER – PHASE I PROJECT

WHEREAS, on October 25, 2010, by Roll Call No. 10-1786, 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 SE Connector Project – SE 14th Street to SE 30th Street; and

WHEREAS, on August 8, 2011, by Roll Call No. 11-1390, under the provisions of 6B.2D of the Iowa Code, the City Council of the City of Des Moines held hearing on the intent to acquire property for municipal services and authorized the acquisition, by gift, negotiation, or condemnation, of the property required to construct the Municipal Service Center – Phase I Project; and

WHEREAS, the following property has been appraised and the appraisal reviewed by independent appraisal firms; and

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

Titleholders:	Carroll Family Real Estate, LLC, Carroll Auto Wrecking, and Carroll Auto Wrecking, Inc.
Property Location:	Vicinity of 1610 Scott Avenue, Des Moines, IA 50309-5035
Property Interests to Be Acquired:	Total Fee Acquisition
Suggested Fair Market Value:	
SE Connector Parcel:	\$638,000 (Plus Closing Costs)
Municipal Services Parcel:	\$1,035,000 (Plus Closing Costs)
Total Fair Market Value:	\$1,673,000 (Plus Closing Costs)

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 interests listed herein.

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

That the property interests 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 owner agrees 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 this 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 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 No. 11- 545)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

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

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
MOTION CARRIED APPROVED

Diane Rauh City Clerk