

Date January 9, 2012

RESOLUTION ESTABLISHING FAIR MARKET VALUE FOR MULTIPLE PROPERTIES FOR THE SOUTHEAST CONNECTOR PROJECT – SE 15<sup>th</sup> STREET TO SE 23<sup>rd</sup> STREET

WHEREAS, on March 7, 2005, by Roll Call No. 05-530, the City Council approved the execution of an Iowa Department of Transportation Agreement for the SE Connector Project; and

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 a portion of the SE Connector Project from SE 14<sup>th</sup> Street to SE 30<sup>th</sup> Street; and

WHEREAS, on October 11, 2011, the Transportation Commission approved the City’s Revitalize Iowa’s Sound Economy (RISE) Grant Application; and

WHEREAS, the following properties have been appraised and the appraisals have been reviewed and approved by independent appraisers; and

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

Titleholder: Pine Ridge Real Estate, LLC
Property Location: 1700 Scott Avenue, Des Moines, IA 50317
Property Interest to Be Acquired: Partial Fee Acquisition
Suggested Fair Market Value: \$63,700 (Plus Closing Costs)

Titleholder: Hawkeye Land Company
Property Location: District/Parcel No. 040/00532-003-000, 1700 Block of Scott Avenue, Des Moines, IA 50317
Property Interest to Be Acquired: Partial Fee Acquisition
Suggested Fair Market Value: \$14,400 (Plus Closing Costs)

Titleholder: John E. Godron
Property Location: District/Parcel No. 040/00522-003-000, Scott Avenue and SE 18<sup>th</sup> Street, Des Moines, IA 50317
Property Interest to Be Acquired: Partial Fee Acquisition
Suggested Fair Market Value: \$68,100 (Plus Closing Costs)

Titleholder: Amend Packing Company
Property Location: 410 SE 18<sup>th</sup> Street
Property Interest to Be Acquired: Partial Fee Acquisition
Suggested Fair Market Value: \$23,300 (Plus Closing Costs)

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Titleholder: Waste Management of Iowa, Inc.  
 Property Location: 201 SE 18<sup>th</sup> Street, Des Moines, IA 50317  
 Property Interest to Be Acquired: Partial Fee Acquisition and Temporary Easement for Construction  
 Suggested Fair Market Value: \$123,400 (Plus Closing Costs)

Titleholder: Midwest Automatic Fire Sprinkler Company  
 Property Location: 1823 Raccoon Street, Des Moines, IA 50317-7633  
 Property Interest to Be Acquired: Total Fee Acquisition  
 Suggested Fair Market Value: \$750,000 (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 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 values listed above.

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.

If the property owners agree to convey the property interests 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.

★ Roll Call Number

12-0025

Agenda Item Number

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(Council Communication No. 12-011)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank  
Assistant City Attorney

BN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
GRIESS	✓			
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.

Diane Rauh  
City Clerk

MOTION CARRIED 7-0-0  
T. M. Franklin Cownie  
Mayor