

12-0381

10

Date March 12, 2012

RESOLUTION ESTABLISHING FAIR MARKET VALUE OF MULTIPLE PROPERTIES FOR THE SOUTHEAST CONNECTOR PROJECT – SE 23<sup>RD</sup> STREET TO SE 30<sup>TH</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, the following properties have been appraised and the appraisals have been or are being reviewed and approved by independent appraisers; and

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

Titleholder: Norma Burgett and Franklin D. Brown
Property Location: 631 and 633 SE 25<sup>th</sup> Court, Des Moines, IA 50317-7518
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$31,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Rickey L. Fitch
Property Location: 635 SE 25<sup>th</sup> Court, Des Moines, IA 50317-7518
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$25,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Ryan H. Polansky
Property Location: 640 SE 26<sup>th</sup> Court, Des Moines, IA 50317-7525
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$42,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Omar W. Alawadi
Property Location: 645 SE 26<sup>th</sup> Court, Des Moines, IA 50317
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$235,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Angel and Sheila M. Hernandez
Property Location: 714 SE 27<sup>th</sup> Street, Des Moines, IA 50317-1206
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$78,000 (Plus Closing Costs and Relocation Expenses)

Date March 12, 2012

Titleholder: Jason Vandemark
Property Location: 707 and 721 SE 27th Street, Des Moines, IA 50317-1205
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$135,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Dionicio Martinez-Montero
Property Location: 727 SE 27th Court, Des Moines, IA 50317-1232
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$77,000 (Plus Closing Costs and Relocation Expenses)

Titleholder: Raul Camarena
Property Location: 718 SE 28th Street, Des Moines, IA 50317-1311
Property Interest to Be Acquired: Total Fee Acquisition
Suggested Fair Market Value: \$81,000 (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

★ Roll Call Number

12-0381

Agenda Item Number

10

Page 3

Date March 12, 2012

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. 12- 112 )

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, GRIESS, MAHAFFEY, MEYER, MOORE, and TOTAL.

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 Council Mayor

Diane Rauh City Clerk