

★ Roll Call Number

14-0806

Agenda Item Number

44

Date May 19, 2014

**HOLD HEARING ON THE INTENT TO ACQUIRE PROPERTY LOCATED AT  
1422 SCOTT AVENUE FOR THE SE AGRI BUSINESS URBAN RENEWAL PROJECT  
AND AUTHORIZE ACQUISITION OF THE PROPERTY BY GIFT, NEGOTIATION  
OR EMINENT DOMAIN**

**WHEREAS**, under the provisions of 6B.2D of the Iowa Code, a governmental body which proposes to acquire private property by eminent domain for urban renewal purposes is required to give notice of a proposed resolution, motion, or other document authorizing such acquisition of property to each property owner, contract purchaser of record and any tenant known to be occupying the property prior to the date of the meeting at which such proposed authorization will be considered; and

**WHEREAS**, on January 26, 1998, by Roll Call No. 98-275, the Des Moines City Council adopted the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Project (hereinafter referred to as the "Plan"), and such Plan has been amended six times; and

**WHEREAS**, on March 10, 2014, by Roll Call No. 14-0436, the Des Moines City Council approved the Sixth Amendment to the Plan, which included designating the real property located at 1422 Scott Avenue for acquisition by the City for redevelopment purposes and to eliminate slum and blighted conditions on the property; and

**WHEREAS**, on May 5, 2014, by Roll Call No. 14-0691, City Council set the time and place for a hearing at which persons affected by the acquisition of real property located at 1422 Scott Avenue for the SE AgriBusiness Urban Renewal Project may present their views regarding the proposed acquisition of private property for urban renewal purposes by gift, negotiation or eminent domain; and

**WHEREAS**, authorized notice of this hearing was given as provided by law, setting forth the time and place for hearing on the proposal; and

**WHEREAS**, the City Council has met as provided in the notice to receive and consider input regarding the acquisition of private property for urban renewal purposes for the SE AgriBusiness Urban Renewal Project by gift, negotiation or eminent domain, and those interested in this proposed property acquisition, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. That all objections and endorsements having been fully reviewed and considered, the hearing providing the opportunity for public input on the question of acquisition or condemnation of private property and property interests for urban renewal purposes for the SE AgriBusiness Urban Renewal Project is now concluded and closed.

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2. That acquisition of private property located at 1422 Scott Avenue for urban renewal purposes for this Project, including acquisition by eminent domain (condemnation) if necessary, is hereby authorized.

(Council Communication No. 14- 238)

Moved by Gatto to adopt.

APPROVED AS TO FORM:

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

*BN*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED T. M. Franklin Mayor

**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