



Roll Call Number

15-1595

Agenda Item Number

12

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Date September 28, 2015

RESOLUTION ESTABLISHING FAIR MARKET VALUE OF MULTIPLE PROPERTIES FOR THE LEETOWN CREEKWAY CHANNEL IMPROVEMENTS PROJECT

WHEREAS, on April 7, 2014, by Roll Call No. 14-0537, the City Council of the City of Des Moines, Iowa authorized the acquisition, by gift, negotiation, or condemnation, of the right-of-way and easements required for the Leetown Creekway Channel Improvements Project; and

WHEREAS, the following properties are necessary for the Leetown Creekway Channel Improvements Project and have been appraised by an independent appraiser; and

WHEREAS, based upon the appraisals, the suggested fair market value of the property interests to be acquired are as follows:

Titleholder: Lizbeth Jimenez
Property Location: 3217 Scott Avenue, Des Moines, IA 50317
Property Interest to Be Acquired: Permanent Easement for Storm Sewer and Surface Water Flowage and Temporary Easement for Construction and Construction-Related Activities
Suggested Fair Market Value: \$11,310.00 (plus closing costs)

Titleholder: Jose and Maria Pina
Property Location: 729 SE 32nd Street, Des Moines, IA 50317
Property Interest to Be Acquired: Permanent Easement for Storm Sewer and Surface Water Flowage and Temporary Easement for Construction and Construction-Related Activities
Suggested Fair Market Value: \$20,780.00 (plus closing costs)

Titleholder: Union Pacific Railroad Company
Property Location: District/Parcel 050/04169-001-000 and 154 SE 34th Street Des Moines, IA 50317
Property Interest to Be Acquired: Permanent Easement for Storm Sewer and Surface Water Flowage and Temporary Easement for Construction and Construction-Related Activities
Suggested Fair Market Value: \$13,890.00 (plus closing costs)

Titleholder: Hawkeye Land Company
Property Location: District/Parcel 050/04157-000-000, Des Moines, IA 50317
Property Interest to Be Acquired: Permanent Easement for Storm Sewer and Surface Water Flowage and Temporary Easement for Construction and Construction-Related Activities
Suggested Fair Market Value: \$70,200.00 (plus closing costs)



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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 owner agrees 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.



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(Council Communication No. 15-505)

Moved by Gatto to adopt.

APPROVED AS TO FORM

[Signature]

Lisa A. Wieland, Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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.

[Signature]

City Clerk