

★ Roll Call Number

Agenda Item Number

16.1111

14

Page 1

Date July 11, 2016

**RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY OWNED BY
THE COMMUNITY DRAMA ASSOCIATION OF DES MOINES AT 831 42ND STREET
FOR THE 42ND STREET STREETScape PROJECT**

WHEREAS, on March 21, 2016, by Roll Call No. 16-0449, the City Council of the City of Des Moines, Iowa authorized the acquisition, by gift, negotiation, or eminent domain, of the right-of-way and easements required for the 42nd Street Streetscape Project; and

WHEREAS, a portion of the following property is needed for said project and has been appraised, and the appraisal has been reviewed by independent appraisers; and

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

Titleholder:	The Community Drama Association of Des Moines
Property Location:	831 42 nd Street, Des Moines, IA 50312
Property Interests to Be Acquired:	Partial Fee Acquisition and Temporary Easement for Construction and Construction-Related Activities
Fair Market Value:	\$22,035.00 (plus closing costs)

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

1. 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.
2. That the Real Estate Division of the Engineering Department is authorized and directed to acquire said property interests through gift, negotiation or condemnation based upon the approved fair market value listed above.
3. 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.
4. 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.

★ Roll Call Number

Agenda Item Number

16-1111

14

Page 2

Date July 11, 2016

5. 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.
6. 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.

(Council Communication No. 16-369)

Moved by Hensley to adopt.

APPROVED AS TO FORM

Lisa A. Wieland
 Lisa A. Wieland, Assistant City Attorney

PN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
COLEMAN	1			
GATTO	1			
GRAY	1			
HENSLEY	1			
MOORE	1			
WESTERGAARD	1			
TOTAL	7			
MOTION CARRIED	APPROVED			

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