# CITY OF WEST DES MOINES
# CITY COUNCIL MEETING COMMUNICATION

**DATE:** **February 23, 2015**

**ITEM:** Resolution - Approval and Acceptance of Purchase Agreement and Property for the Ashworth Low Pressure Sewer System Project, Project Number 0510-025-2014

**FINANCIAL IMPACT:** $2,035.00 (previously budgeted)

**SYNOPSIS:** Property necessary for the Ashworth Low Pressure Sewer System Project has been acquired through negotiated Purchase Agreements. The property has been acquired at the appraised fair market value from the owners shown on Exhibit "A". The attached resolution approves the Purchase Agreement(s) and, for policy and title purposes, formally accepts the property and authorizes the filing of all relevant documents. Costs associated with acquisition of the easements will be paid from Account No. 5091.80.820.6.7910.

**RECOMMENDATION:** Adopt a resolution approving and accepting purchase agreement(s) and property to the City of West Des Moines for the Ashworth Low Pressure Sewer Project.

**Lead Staff Member:** Greta Truman, Assistant City Attorney

**STAFF REVIEWS**

| | |
|---|---|
| Department Director | Richard J. Scieszinski, City Attorney |
| Appropriations/Finance | |
| Legal | |
| Agenda Acceptance | RTJ |

**PUBLICATION(S)** (if applicable)

| | |
|---|---|
| Published In | |
| Dates(s) Published | |

**SUBCOMMITTEE REVIEW** (if applicable)

| | | | |
|---|---|---|---|
| Committee | | | |
| Date Reviewed | | | |
| Recommendation | Yes | No | Split |

RESOLUTION NO._____

**AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENTS AND PROPERTY FOR THE CONSTRUCTION OF THE ASHWORTH LOW PRESSURE SEWER PROJECT, PROJECT NUMBER 0510-025-2014**

**WHEREAS,** the City Council of the City of West Des Moines, Iowa, approved the establishment of the Ashworth Road Low Pressure Sewer Connection Fee District on July 28, 2014, and authorized the preparation of plans and specifications for the Project, Project Number 0510-025-2014; and

**WHEREAS**, on August 14, 2014, after public hearing, the City Council approved the acquisition of property, for the Ashworth Low Pressure Sewer Project; and

**WHEREAS**, it is the policy of the City of West Des Moines, Iowa, to approve the conveyance of all property interests to the City; and

**WHEREAS**, the City of West Des Moines has negotiated purchase agreements for the acquisition of property necessary for the Project; and

**WHEREAS**, documents conveying property have been presented to the City for approval; and

**WHEREAS,** the name of the property owners and the fair market value of the properties to be acquired is attached hereto as Exhibit "A" and made a part of this resolution; and

**WHEREAS**, it is in the best interest of the citizens of the City to approve and accept the above-described documents.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:**

1. The documents described above conveying property to the City of West Des Moines, Iowa, are hereby approved and accepted.

2. The City Clerk is directed to certify the Council's approval and acceptance.

3. The Director of Finance is authorized to make payment to the property owners shown on the attached Exhibit "A" pursuant to the terms and conditions of the Purchase Agreements.

4. The documents shall be filed with the county recorder as appropriate.

**PASSED AND ADOPTED** this 23rd day of February, 2015.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

**Exhibit "A"**

**ASHWORTH ROAD LOW PRESSURE SEWER**
**WDM PROJECT NO. 0510-025-2014**

| PARCEL # | PROPERTY OWNER | ACQUIRED PRICE-FMV | |
|---|---|---|---|
| 5 | Eric and Sandra Donielson<br>5531 Ashworth Road<br>(prorated taxes) | $2,035.00 | ***includes $190 for landscaping/tree removal and additional $300 for irrigation relocation** |
| | **TOTAL** | **$2,035.00** | |