CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **April 6, 2015**

ITEM: Resolution - Approval and Acceptance of Purchase Agreement and Easements for the Frink Creek Sanitary Sewer Project

FINANCIAL IMPACT: $9,870.00 (previously budgeted)

SYNOPSIS: For policy and title purposes, formal acceptance by the City of easements is required. Easements have been acquired from a property owner for construction of the Frink Creek Sanitary Sewer (Project Number 0510-030-2010) in order to comply with the Comprehensive Plan. The attached Resolution authorizes the acceptance of the Purchase Agreement and Easements, filing of all relevant documents and payment for the acquisition areas. Costs associated with the property acquisition will be paid from Account No. 5071.80.820.6.7930.

RECOMMENDATION:

Adopt Resolution approving and accepting the Purchase Agreement and Easements to the City of West Des Moines for the Frink Creek Sanitary 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 AGREEMENT AND PERMANENT AND TEMPORARY EASEMENTS FOR THE CONSTRUCTION OF THE FRINK CREEK SANITARY SEWER, PROJECT NUMBER #0510-030-2010

WHEREAS, previously, on June 28, 2010, the City Council heretofore ordered preparation of plans, specifications, form of contract and estimate of cost for the public improvement project known the Frink Creek Sanitary Sewer Project, Project Number 0510-030-2010; and

WHEREAS, on July 23, 2012, the City Council established a public hearing date and authorized notice to property owners regarding acquisition of agricultural property for the 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 a purchase agreement for the acquisition of easements necessary for the Project; and

WHEREAS, the names of the property owners and the just compensation 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 interests 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 documents shall be filed with the county recorder as appropriate.

4. The Director of Finance is authorized to make payment to the above-referenced property owners pursuant to the terms and conditions of the Easement Agreements.

PASSED AND ADOPTED this 6th day of April, 2015.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

FRINK CREEK SANITARY SEWER PROJECT
PROJECT NUMBER 0510-030-2010

PARCEL #	PROPERTY OWNER	ACQUIRED PRICE-FMV	
8	Barbara Heckman	$9,870.00	***in addition to previous agreement Approved on 02/23/15**
	TOTAL	**$9,870.00**	