CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **June 13, 2016**

ITEM: Resolution - Approval and Acceptance of Purchase Agreements, Easements and Condemnation Award for the South 50th Improvement Projects, Project Number 0510-061-2015

FINANCIAL IMPACT: $32,635.00 (previously budgeted)

BACKGROUND: Property interests necessary for the South 50th Street Improvements Project have been acquired through negotiated Purchase Agreements at the appraised fair market value and a condemnation hearing from the owners shown on Exhibit "A", with additional costs not reflected in the appraisals shown in bold. The attached resolution approves the Purchase Agreements and Condemnation Award and, for policy and title purposes, formally accepts the easements and authorizes the filing of all relevant documents. Approval of the Condemnation Award will authorize deposit with the Polk County Sheriff. Costs associated with acquisition of the property interests and easements will be paid from Account No. 4103.75.820.6.7930.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Adopt Resolution approving and accepting Purchase Agreements, Easements and Condemnation Award for the South 50th Street Improvements Project.

Lead Staff Member: Duane Wittstock, Engineer

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, CONDEMENATION AWARD AND PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE SOUTH 50th STREET IMPROVEMENTS PROJECT, PROJECT NUMBER 0510-061-2015

WHEREAS, on September 21, 2015, the City Council approved the acquisition of property, for the South 50th Street Improvements 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 and easements necessary for the Project; and

WHEREAS, the City of West Des Moines condemned property necessary for the construction of the improvements for the Project; and

WHEREAS, the amount of the condemnation award, the names of the property owners and the fair market value of the property to be acquired through purchase agreements are attached hereto as Exhibit "A" and made a part of this resolution; and

WHEREAS, documents conveying property interests and easements necessary to complete the project have been presented to the City for approval; 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 City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreements and Condemnation Award to acquire the property interests.

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

5. 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 Agreement and is authorized to pay the Condemnation Award as shown on the attached Exhibit "A".

PASSED AND ADOPTED this 13th day of June, 2016.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

SOUTH 50TH STREET IMPROVEMENTS
WDM PROJECT NO. 0510-061-2015

PARCEL #	PROPERTY OWNER	CONDEMNTION AWARD/ ACQUIRED PRICE-FMV	
1	John Raymond Miller 5001 Westwood Drive	$20,000.00	***Condemnation Award: includes additional $3,900**
10, 12	True Parkway LLC 4700 and 5020 EP True Parkway	$12,635.00	
	TOTAL	**$32,635.00**	