CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **May 15, 2017**

ITEM: Resolution - Approval and Acceptance of Purchase Agreement, Deed and Temporary Construction Easement for the Ashworth Road Improvements Project – Phase I, Project Number 0510-044-2015

FINANCIAL IMPACT: $25,000.00 (previously budgeted)

BACKGROUND: Property interests necessary for the Ashworth Road Improvements Project – Phase I have been acquired through a negotiated Purchase Agreement at the appraised fair market value from the owners shown on Exhibit "A". The attached resolution approves the Purchase Agreements and, for policy and title purposes, formally accepts the deed and easement and authorizes the filing of all relevant documents. Costs associated with acquisition of the property interests and easements will be paid from Account No. 500.000.000.5550.735, Project No. 0510 044 2015.ROW.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Adopt Resolution approving and accepting the Purchase Agreement, Deed and Temporary Construction Easement for the Ashworth Road – Phase I Improvements Project.

Lead Staff Member: Jason B. Wittgraf, Assistant City Attorney JBW

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes		

RESOLUTION NO._____

AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENT, DEED AND EASEMENT FOR THE CONSTRUCTION OF THE ASHWORTH ROAD IMPROVEMENTS PROJECT - PHASE I, PROJECT NUMBER 0510-044-2015

WHEREAS, on November 2, 2015, the City Council approved the acquisition of 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 property necessary for the Project; and

WHEREAS, documents conveying property interests necessary to complete the project have been presented to the City for approval; and

WHEREAS, the names of the property owners and the fair market value of the property to be acquired are 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 City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreement 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.

PASSED AND ADOPTED this 15th day of May, 2017.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

ASHWORTH ROAD IMPROVEMENTS – PHASE I
WDM PROJECT NO. 0510-044-2015

PARCEL #	PROPERTY OWNER	ACQUIRED PRICE-FMV	
18	Alan and Carla Olson 7920 Ashworth Road	$25,000.00	***includes additional $1,600 for property acquisition and administrative settlement, plus $7,500 for septic damage and sewer connection**
	TOTAL	**$25,000.00**	