CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **December 11, 2017**

ITEM: Resolution - Approval and Acceptance of Condemnation Awards for the Maple Grove Lift Station Project, Project Number 0510-055-2015

FINANCIAL IMPACT: $68,300.00 (previously budgeted)

BACKGROUND: The City of West Des Moines is acquiring property necessary for the Maple Grove Lift Station Project. Due to the inability of the parties to reach a negotiated settlement, the City has condemned property necessary for the Project. On November 29 and 30, 2017, the Dallas County Compensation Commission made awards of $55,00.00 and $13,300.00, respectively, for property necessary for the Project. Approval of the Condemnation Awards will authorize deposit with the Dallas County Sheriff. Costs associated with acquisition of the property interests and easements will be paid from Account No. 640.000.000.5550.730, Project No. 0510 055 2015.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approve the Condemnation Awards for the acquisition of property necessary for the Maple Grove Lift Station Project.

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

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	No	Split

Prepared by/return to: Greta Truman, Asst. City Attorney, PO Box 65320, West Des Moines, IA 50265 (515) 222-3673

RESOLUTION NO._____

AUTHORIZING APPROVAL AND ACCEPTANCE OF CONDEMNATION AWARDS AND PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE MAPLE GROVE LIFT STATION PROJECT, PROJECT NUMBER 0510-055-2015

WHEREAS, on January 26, 2016, the City Council approved the acquisition of property, including agricultural property, for the Maple Grove Lift Station 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 condemned property necessary for the construction of the improvements for the Project; and

WHEREAS, the property owners and the condemnation awards are shown on the attached **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 condemnation award made for the acquisition of property necessary for the Grand Avenue Siphon Replacement Project, Project Number 0510-048-2015, is hereby approved.

2. The Mayor is authorized to sign and the City Clerk is directed to attest to the Mayor's signature on all documents necessary for the acquisition of property for the project.

3. The City's Legal Department is authorized to take all steps necessary and consistent with the condemnation award to acquire the property interests.

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

5. The City's Finance Director is authorized to pay the condemnation award as shown on the attached **Exhibit "A"**.

PASSED AND ADOPTED this **13th** day of **November, 2017.**

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit "A"

MAPLE GROVE LIFT STATION
WDM PROJECT NO. 0510-055-2015

PARCEL #	PROPERTY OWNER	CONDEMNTION AWARD/ ACQUIRED PRICE-FMV	
4	James and Wanda Coons Revocable Living Trust 3344 Ashworth Road	$13,300.00	***condemnation award**
6	William B Chase Trust 9396 Ashworth Road	$55,000.00	***condemnation award**
	TOTAL	**$68,300.00**	