CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: January 7, 2019

ITEM:

Resolution - Establishing Just Compensation and Approving the Acquisition of Property
Grand Avenue Reconstruction – 1st Street to 6th Street

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, the attached Resolution approves the acquisition of property at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of an appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Establishing Just Compensation and Approving the Acquisition of Property

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney RJS
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION ESTABLISHING JUST COMPENSATION AND APPROVING THE ACQUISITION OF PROPERTY GRAND AVENUE RECONSTRUCTION – 1ST STREET TO 6TH STREET, PROJECT NO. 0510-031-2016

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the following Project,

Grand Avenue Reconstruction – 1st Street to 6th Street
Project No. 0510-031-2016

and

WHEREAS, it is necessary to acquire property and easements from private owners in these areas for the construction of improvements; and

WHEREAS, acquisition of property and easements by the City through purchase, condemnation or gift based upon fair market value of the property is necessary and appropriate.

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

1. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved except for agricultural properties.

2. City staff is authorized to acquire appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project except for agricultural properties.

3. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk) except for agricultural properties.

4. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings except for agricultural properties.

5. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

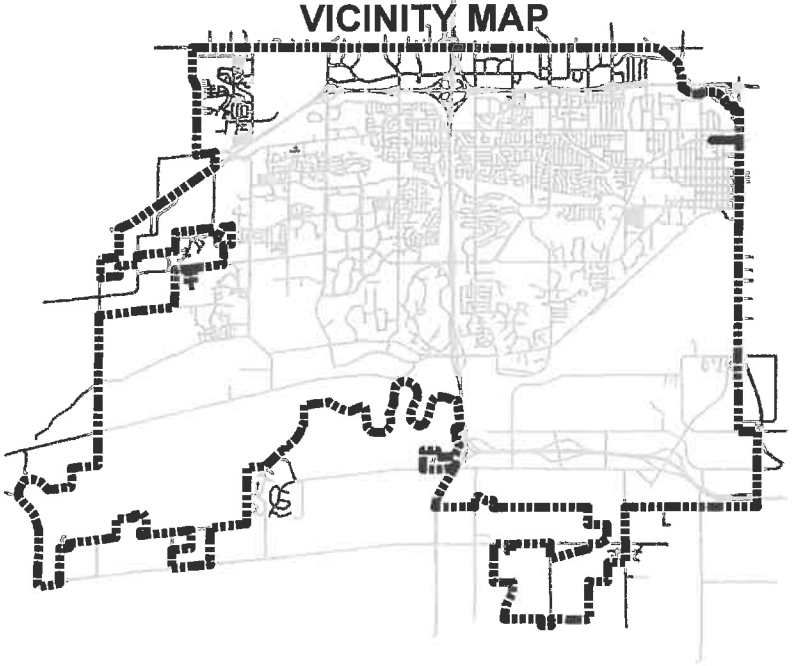
PASSED AND ADOPTED on this **7th** day of **January, 2019**.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

VICINITY MAP



LEGEND

PROJECT LOCATION

N
W E
S

THE CITY OF WEST DES MOINES

PROJECT:	**Grand Avenue Reconstruction 0510-031-2016**	
LOCATION:	**Grand Avenue - 1st Street to 6th Street**	
DRAWN BY: JDR	DATE: 9-6-2016	SHT. 1 of 1