# CITY OF WEST DES MOINES
# CITY COUNCIL MEETING COMMUNICATION

**DATE:** May 6, 2019

**ITEM:** Resolution - Approval and Acceptance of Property Interests for the Grand Avenue Improvements Project, Project Number 0510-056-2018

**FINANCIAL IMPACT:** None

**BACKGROUND:** In August, 2008, the City of West Des Moines and Microsoft Corporation entered into a Memorandum of Understanding (MOU) concerning Microsoft Project Mountain. The MOU required the City to construct public infrastructure to facilitate the project, including a portion of Grand Avenue. Subsequent to the MOU the City and W&G McKinney Farms, L.C. entered into an Agreement in which W&G McKinney Farms agreed to dedicate land to the City for the construction of Grand Avenue. Pursuant to the Agreement, property interests necessary for the Grand Avenue Improvements Project have been dedicated from W&G McKinney Farms as shown on the attached Exhibit "A." For policy and title purposes, the attached resolution approves and formally accepts the property interests and authorizes the filing of all relevant documents. Any cost associated with acquisition of the easements will be paid from Account No. 500.000.000.5550.735, Project No. 0510-056-2018.

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Adopt Resolution Approving and Accepting the property interests for the Grand Avenue Improvements Project

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

**STAFF REVIEWS**

| | |
|---|---|
| Department Director | Richard J. Scieszinski, City Attorney RJS CA for TS |
| 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 |

**RESOLUTION NO._____**

**AUTHORIZING APPROVAL AND ACCEPTANCE OF CONVEYANCE OF PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE GRAND AVENUE IMPROVEMENTS PROJECT, PROJECT NUMBER 0510-056-2018**

**WHEREAS**, on August 25, 2008, the City of West Des Moines and Microsoft Corporation entered into a memorandum of Understanding concerning Project OSMIUM in which the City is required to construct roadways to facilitate the Microsoft Project; and

**WHEREAS**, on September 22, 2008, the City of West Des Moines and W&G McKinney Farms, L.C., entered into an Agreement in which W&G McKinney agreed to provide land to the City on which the OSMIUM Project roadways can be constructed and the City has agreed to construct the roadways; and

**WHEREAS**, the City Council of the City of West Des Moines, Iowa has previously approved the establishment of the Grand Avenue Improvements, Project Number 0510-056-2018 in connection with the OSMIUM Project; and

**WHEREAS**, on February 4, 2019, the City Council approved the acquisition of property, for the Grand Avenue 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**, pursuant to the Agreement between the City of West Des Moines, Iowa and W&G McKinney Farms, L.C., property interests necessary for the Grand Avenue Improvements Project have been dedicated from W&G McKinney Farms; and

**WHEREAS**, documents conveying property interests for the improvements have been presented to the City for approval; and

**WHEREAS,** the name of the property owner of the property to be acquired 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.

**PASSED AND ADOPTED** this **6th** day of **May, 2019**.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

**Exhibit "A"**

**GRAND AVENUE IMPROVEMENTS,**
**SOUTH JORDAN CREEK PARKWAY TO SOUTH 88TH STREET,**
**WDM PROJECT NO. 0510-056-2018**

| Property Interest | PROPERTY OWNER | ACQUIRED PRICE-FMV | |
|---|---|---|---|
| Permanent Storm Sewer, Drainage, and Utility Easement and Temporary Construction Easement | W&G McKinney Farms, LC a part of 8180 Booneville Road and surrounding agriculture parcels 1623300015, 1623400006, 1623400007, 1626200001, 1626100002, 1625100005 | $0.00 | *dedication pursuant to the Agreement between the City of West Des Moines, Iowa and W&G McKinney Farms, L.C. dated September 22, 2008 |