# CITY OF WEST DES MOINES
# CITY COUNCIL MEETING COMMUNICATION

**DATE:** May 6, 2019

**ITEM:** Resolution - Approval and Acceptance of Purchase Agreement(s) and Conveyance of Property Interests for Construction of the Booneville Road Reconstruction Project – South 88th Street to West of South 100th Street.

**FINANCIAL IMPACT:** $25,737.60 (previously budgeted)

**SYNOPSIS:** Property interests necessary for Construction of the Booneville Road Reconstruction Project – South 88th Street to West of South 100th Street have been donated and acquired through negotiated purchase agreement(s) at the appraised fair market value established by compensation estimate(s) prepared by JCG Land Services, Inc. from the owner(s) shown on **Exhibit "A"**, with additional comments and/or additional costs not reflected in the compensation estimate(s) shown in bold, if any. The attached resolution approves the purchase agreement(s) and, for policy and title purposes, formally accepts the property interests and authorizes the filing of all relevant document(s). Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.730, Project No. 0510-006-2017.

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

**RECOMMENDATION:**

Adopt a Resolution approving and accepting Purchase Agreement(s) and Conveyance of Property Interests to the City of West Des Moines for Construction of the Booneville Road Reconstruction Project – South 88th Street to West of South 100th Street.

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

**STAFF REVIEWS**

| | |
|---|---|
| Department Director | Richard J. Scieszinski, City Attorney |
| Appropriations/Finance | for FS |
| 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 PURCHASE AGREEMENT(S) AND CONVEYANCE OF PROPERTY INTERESTS FOR CONSTRUCTION OF THE BOONEVILLE ROAD RECONSTRUCTION PROJECT – SOUTH 88TH STREET TO WEST OF SOUTH 100TH STREET, PROJECT NO. 0510-006-2017**

**WHEREAS**, on December 26, 2018, the City Council of the City of West Des Moines, Iowa established the fair market value and authorized the acquisition of property and easement(s), including any leasehold interests, necessary for construction of the Booneville Road Reconstruction Project – South 88th Street to West of South 100th Street (Project No. 0510-006-2017); 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 obtained property interests through donation and has negotiated purchase agreement(s) for the acquisition of property interests necessary for the Project; and

**WHEREAS,** the names of the property owner(s) and the fair market value, established by compensation estimate(s) prepared by JCG Land Services, Inc., of the property to be acquired through purchase agreement(s) are attached hereto as **Exhibit "A"** and made a part of this resolution; and

**WHEREAS**, document(s) conveying property interests 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 document(s).

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

1. The document(s) 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(s) to acquire the property interests.

4. The document(s) shall be filed with the county recorder as appropriate.

5. The Director of Finance is authorized to make payment to the property owner(s) shown on the attached **Exhibit "A"** pursuant to the terms and conditions of the Purchase Agreements.

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

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

**Exhibit "A"**

**BOONEVILLE ROAD RECONSTRUCTION**
**SOUTH 88TH STREET TO WEST OF SOUTH 100TH STREET**
**PROJECT NO. 0510-006-2017**

| PARCEL | PROPERTY OWNER | ACQUIRED PRICE-FMV | |
|---|---|---|---|
| 5 | Orton Homes, LLC<br>Kings Landing Plat 2, Lot 186 and Outlot R | $0.00 | ***donation** |
| 11 | Matt and Lisa Grimm<br>1495 S 95th Street | $1,912.60 | |
| 38, 39 | Sandahl Trust<br>c/o Iowa State Bank, Trustee<br>1540 S 88th Street | $11,240.00 | |
| 45 | Universal Investment Property, LLC<br>Parcel ID No. 1622300002<br>Southwest corner of S 95th Street and Booneville Road | $12,585.00 | |
| | **TOTAL** | **$25,737.60** | |