CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **August 5, 2019**

ITEM: Resolution - Approval and Acceptance of Conveyance of Property Interests for the South 88th Street & Mills Civic Parkway Reconstruction Project.

FINANCIAL IMPACT: Minimal filing costs.

SYNOPSIS: Property interests necessary for Construction of the South 88th Street & Mills Civic Parkway Reconstruction Project have been dedicated as an obligation of a development agreement from the owners shown on **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. Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.735, Project No. 0510-048-2018.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION:

Adopt a Resolution approving and accepting Conveyance of Property Interests to the City of West Des Moines for Construction of the South 88th Street & Mills Civic Parkway Reconstruction Project.

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

STAFF REVIEWS

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

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 CONSTRUCTION OF SOUTH 88TH STREET & MILLS CIVIC PARKWAY RECONSTRUCTION PROJECT NO. 0510-048-2018

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 easements, including any leasehold interests, necessary for construction of South 88th Street & Mills Civic Parkway Reconstruction Project, Project No. 0510-048-2018; and

WHEREAS, on March 18, 2019, the City Council approved a development agreement with developer Midland National Life Insurance Company and Sammons Financial Group, Inc.; and

WHEREAS, pursuant to the development agreement, developer is required to donate property necessary for construction of the South 88th Street & Mills Civic Parkway Reconstruction 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 obtained property interests through dedication, pursuant to a development agreement, for the acquisition of property interests necessary for the Project; 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 **5th** day of **August, 2019.**

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

SOUTH 88TH STREET & MILLS CIVIC PARKWAY RECONSTRUCTION PROJECT
PROJECT NO. 0510-048-2018

PARCEL	PROPERTY OWNER	ACQUIRED PRICE-FMV	
"PUE-10-B" TE "10-A" TE "10-B"	Midland National Life Insurance Company, member of the privately-held **Sammons** Financial Group - Annuity Division 8150 Mills Civic Parkway Parcel ID 1614300017, 1614300018	$0.00	*dedication (Permanent Public Utility and Temporary Easement) given in compliance with Section 3.5 of the Development Agreement between the City of West Des Moines, Iowa, Midland National Life Insurance Company, and Sammons Financial Group, Inc., dated March 18, 2019.
	TOTAL	**$0.00**	