CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: December 7, 2020

ITEM: Resolution - Approval and Acceptance of Conveyance of Property Interests for Construction of the Grand Avenue Reconstruction Project - 1st to 4th Street (0510-031-2016)

FINANCIAL IMPACT: Minimal filing costs.

SYNOPSIS: Pursuant to a Development Agreement filed in Book 13599, Page 519 on September 30, 2010, paragraph 6, the Byrne Family Limited Partnership (and any successors in interest) agreed to dedicate any additional right-of-way along Grand Avenue needed for the reconstruction of Grand Avenue. Property interests necessary for Construction of the Grand Avenue Reconstruction Project - 1st to 4th Street have been secured through dedication from the owners shown on **Exhibit "A"** pursuant to the aforementioned Development Agreement. The attached resolution formally accepts the property interests and authorizes the filing of all relevant documents for policy and title purposes. Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.735, Project No. 0510-031-2016 with the ultimate funding intended to come from Val-Gate Urban Renewal Funds.

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 Grand Avenue Reconstruction Project – 1st to 4th Street.

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

STAFF REVIEWS

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

PUBLICATIONs (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 THE GRAND AVENUE RECONSTRUCTION PROJECT - 1ST TO 4TH STREET, PROJECT NO. 0510-031-2016

WHEREAS, on January 7, 2019, the City Council of the City of West Des Moines, Iowa authorized the acquisition of property and easements at the established fair market value, including any leasehold interests, necessary for construction of the Grand Avenue Reconstruction Project - 1st to 4th Street (Project No. 0510-031-2016); 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 a Development Agreement filed in Book 13599, Page 519 on September 30, 2010, paragraph 6, the Byrne Family Limited Partnership and its successors in interest agreed to convey any additional right-of-way along Grand Avenue needed for the reconstruction of Grand Avenue; and

WHEREAS, Property interests necessary for Construction of the Grand Avenue Reconstruction Project - 1st to 4th Street have been secured through dedication from the owners shown on **Exhibit "A"** pursuant to the aforementioned Development Agreement and made a part of this resolution; and

WHEREAS, documents 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 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 7th day of **December, 2020.**

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

GRAND AVENUE RECONSTRUCTION PROJECT - 1ST TO 4TH STREET (0510-031-2016)

EXHIBIT/ PARCEL	PROPERTY OWNER	ACQUIRED PRICE-FMV	SUMMARY
112-F1 112-T1	STORE MASTER FUNDING III, LLC, successor in interest to BYRNE FAMILY LIMITED PARTNERSHIP 350 Grand Avenue West Des Moines, IA 50265 (Tenant is Taco Johns)	$0.00*	***Property dedication pursuant to Development Agreement filed in Book 13599, Page 519 on September 30, 2010.**
	TOTAL	**$0.00**	