CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: **November 27, 2017**

ITEM: Resolution - Approval and Acceptance of Purchase Agreements and Conveyance of Property Interests for Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street)

FINANCIAL IMPACT: $185,000.00 (previously budgeted)

SYNOPSIS: Property interests necessary for the Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street) have been acquired through negotiated purchase agreements at the appraised fair market value from the owners shown on **Exhibit "A"**, with additional comments and/or additional costs not reflected in the appraisals shown in bold, if any. The attached resolution approves the purchase agreements and, for policy and title purposes, 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. 500.000.000.5550.730, Project No. 0510 007 2017.

OUTSTANDING ISSUES (if any): This acquisition is a total taking which includes $18,500 advance payment with balance minus costs due at Closing (tentatively scheduled on or before 06/01/18).

RECOMMENDATION:

Adopt Resolution Approving and Accepting Purchase Agreements and Conveyance of Property Interests to the City of West Des Moines for the Project Osmium Public Infrastructure.

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

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

Prepared by/return to: Jason B. Wittgraf, Asst. City Attorney, PO Box 65320, West Des Moines, IA 50265 (515) 222-3613

RESOLUTION NO._____

AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENTS AND CONVEYANCE OF PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE PROJECT OSMIUM PUBLIC INFRASTRUCTURE (VETERANS PARKWAY: SE MAFFITT LAKE ROAD TO SE ADAMS STREET, PROJECT NO. 0510-007-2017)

WHEREAS, on June 26, 2017, 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 the construction of the Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street, Project No. 0510-007-2017); 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 negotiated purchase agreements for the acquisition of property interests necessary for the Project; and

WHEREAS, the names of the property owners and the fair market value of the property to be acquired through purchase agreements are attached hereto as **Exhibit "A"** 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 City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreements to acquire the property interests.

4. The documents shall be filed with the county recorder as appropriate.

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

PASSED AND ADOPTED this **27th** day of **November, 2017.**

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit "A"

PROJECT OSMIUM PUBLIC INFRASTRUCTURE
(VETERANS PARKWAY: SE MAFFITT LAKE ROAD TO SE ADAMS STREET, PROJECT NO. 0510-007-2017)

PARCEL #	PROPERTY OWNER	ACQUIRED PRICE-FMV	
"007-15"	Colin P. Tormey 1875 SE County Line Rd	$185,000.00	***total acquisition (dwelling): $18,500 advance payment with balance due at Closing (on or before June 1, 2018)** ***includes additional $5,000 for moving and relocation cost and expenses**
	TOTAL	**$185,000.00**	