

CITY COUNCIL COMMUNICATION 97-486
SEPTEMBER 22, 1997 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
CONDEMNATION COMMISSION AWARD— ARMY POST ROAD/HIGHWAY 28 RELOCATION AND RUNWAY 5/23 EXTENSION—TO ARMY POST DEVELOPMENT, L.C.	◆ RESOLUTION ORDINANCE RECEIVE/FILE	WILLIAM FLANNERY AVIATION DIRECTOR

SYNOPSIS —

The Des Moines International Airport Revised Master Plan and Noise Compatibility Program provides for the extension of Runway 5/23, and the relocation of Army Post Road and Iowa Highway 28. As part of the project, a Grant Agreement with the Federal Aviation Administration was executed to provide some of the funds necessary for the acquisition of properties needed for the runway extension and the road relocation.

An offer was made to the property owner, Army Post Development, L.C., based on the appraised Fair Market Value of the property (\$288,000). The City Engineering Right-of-Way Division, however, was unable to negotiate a settlement as to the purchase of the property by the City. On September 18, 1997, the Polk County Condemnation Commissioners convened in Des Moines to review the case and make awards to the property owner and all other payees.

FISCAL IMPACT —

In accordance with the actions of the Polk County Condemnation Commission, the proposed total award is \$378,509.45 as just compensation dispersed as follows:

Award (property acquisition)	\$370,000.00
Commissioners/Sheriff's Fees	509.45
Attorney's Fees:	<u>8,000.00</u>
	\$378,509.45

RECOMMENDATION —

The Engineering Right-of-Way Division recommends approval and acceptance of the Condemnation Commission award.

BACKGROUND —

On July 15, 1996, by Roll Call No. 96-2472, the City Council authorized and directed the Legal and Engineering Departments to acquire, by condemnation or otherwise, certain land for use as part of the necessary right-of-way for the construction of the Army Post/Highway 28 relocation and Runway 5/23 extension.

On June 16, 1997, by Resolution A97-176, the Airport Board recommended approval of the Fair Market Value of the property, and authorized the making of an offer and close and make payment for the project.

On August 5, 1997, by Resolutions A97-259, A97-260, and A97-261, the Airport Board approved construction contracts for the first phases of construction of the relocated Army Post Road and for the grading of the extension to Runway 5-23.

On September 22, 1997, a special meeting of the Airport Board will be convened for the Board to consider recommending approval of the award and acquisition of this property.