

Date March 20, 2006

**AUTHORIZATION TO PROCEED WITH ACQUISITION OF THE NECESSARY RIGHT-OF-WAY AND EASEMENTS FOR THE TWANA BEL-AIRE RELIEF STORM SEWER PROJECT BY GIFT, NEGOTIATION, OR CONDEMNATION**

**WHEREAS**, on January 23, 2006, by Roll Call No. 06-122, the City Council approved a Professional Services Agreement between the City of Des Moines and Snyder & Associates Inc., for design services, Right-of-Way Acquisition and Construction Phase Services for the Twana Bel-Aire Relief Storm Sewer Project; and

**WHEREAS**, the City's Real Estate Division of the Engineering Department will acquire the necessary Right-of-Way for this project and it will not be necessary to exercise the optional Right-of-Way Acquisition Services portion of the Professional Services Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa: That the City Manager be and is hereby authorized to proceed with the necessary activities and negotiations to acquire from various owners by gift, negotiation, or condemnation the necessary right-of-way and easements for construction of the Twana Bel-Aire Relief Storm Sewer Project subject to approval by this Council, or approval of the City Manager in accordance with Section 2-201, (c) and (d), of the Municipal Code of the City of Des Moines, Iowa, as appropriate.

That the properties will be acquired in accordance with the guidelines of 49 CFR Part 24 of the Uniform Relocation and Real Property Acquisition Act, as revised, and that relocation assistance is hereby authorized.

That the Fair Market Value of these parcels will be approved in accordance with established City policy. If the property owners agree to convey the property to the city in an amount based on the established fair market value, including an approved administrative settlement, the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out these transactions and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to complete these transactions in accordance with standard real estate practices.

★ **Roll Call Number**

**Agenda Item Number**

*19*

Date March 20, 2006

Twana Bel-Aire Relief Storm Sewer Project - Page 2

Moved by \_\_\_\_\_ to adopt.

Account: 541015  
 Fund: EN304  
 Organization: PKW990000  
 Project/Grant: STE079  
 Activity ID#: 32-2006-032  
 F:\Authorization to Acquire

APPROVED AS TO FORM:

*Emily Gould Chafa*  
 \_\_\_\_\_  
 Emily Gould Chafa  
 Assistant City Attorney

*BR*

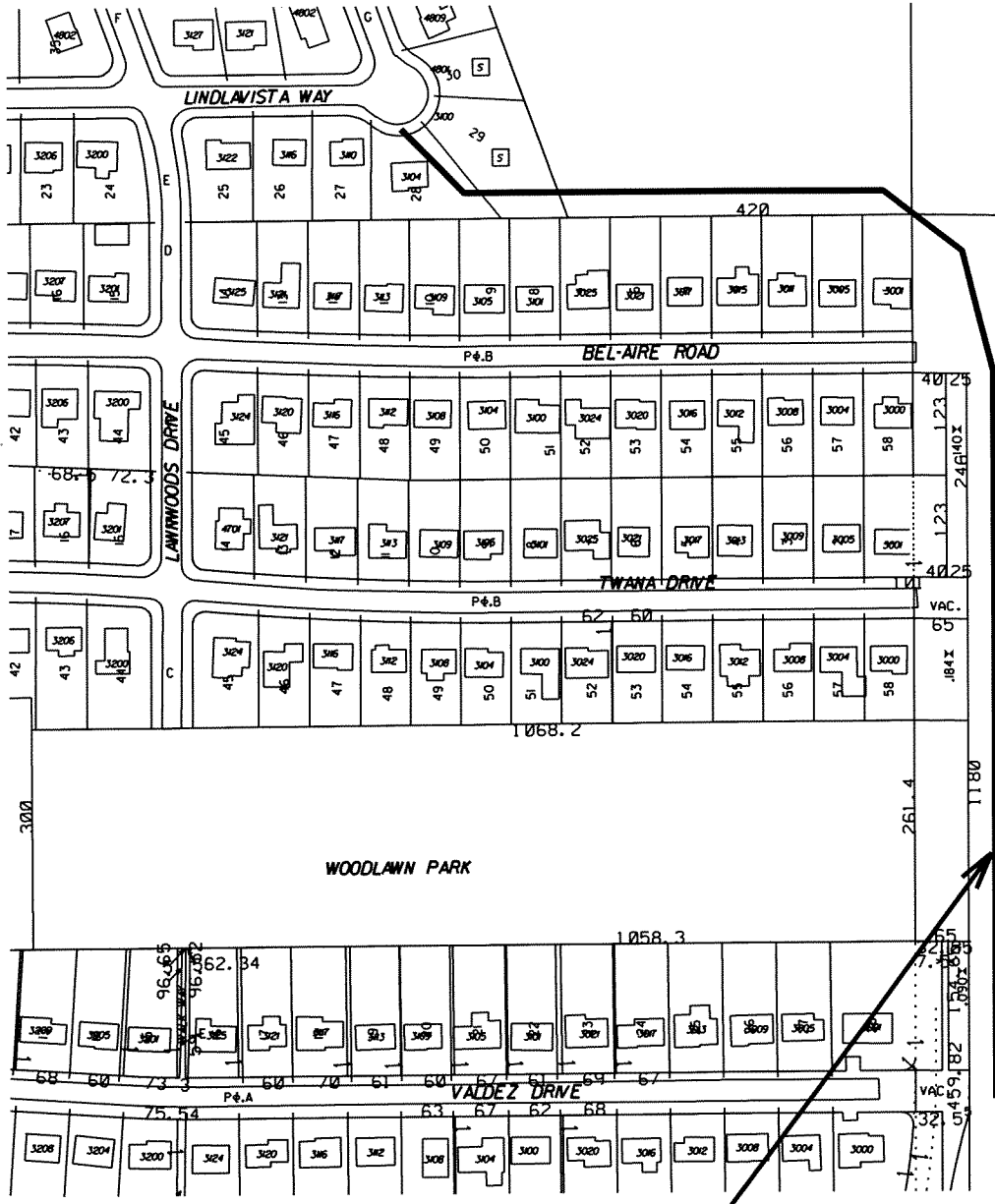
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

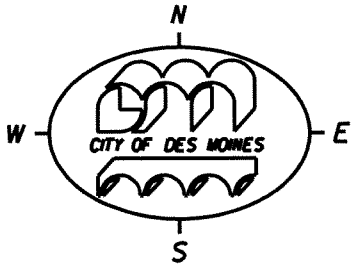
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk



**EASEMENT  
LOCATION**



**TWANA STORM SEWER EASEMENT  
ACTIVITY I.D. 32-2006-032**