

Date April 10, 2006

RESOLUTION ESTABLISHING FAIR MARKET VALUE AND AUTHORIZING ACQUISITION OF PROPERTY LOCATED AT 6116 BOSTON AVENUE FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 2006 BUYOUT PROGRAM/FRISBEE PARK PROCEEDS PROJECT BY GIFT OR VOLUNTARY NEGOTIATION

WHEREAS, the City of Des Moines acquired a number of properties within the Frisbee Park Area following the flooding in 1993, with 50% of the funding made available through a Hazard Mitigation Grant Program from the State of Iowa Emergency Management Division and the remaining 50% of funding from a Community Development Block Grant; and

WHEREAS, pursuant to a Letter of Understanding Agreement dated November 9, 1999, FEMA agreed to allow the City to sell the acquired properties for residential redevelopment after flood protection was installed; and

WHEREAS, said Letter of Understanding further required the City to use any and all proceeds from the sale of land acquired through the Hazard Mitigation Grant Program in the Frisbee Park Area for the purchase of other flood-prone properties in the City; and

WHEREAS, the following property has sustained repetitive losses due to past flooding and has been identified for acquisition through the City's FEMA '06 Buyout Program; and

WHEREAS, the property owners listed below have agreed to sell their property in accordance with the program guidelines, and the suggested fair market value of the property is as follows:

Titleholder: Bonnie M. and Robert J. Netteland
Property Location: 6116 Boston Avenue
Property Interest(s) to be Acquired: Total Fee - Simple Interest
Suggested Fair Market Value: \$102,300

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the valuation listed and identified above as "Suggested Fair Market Value" is hereby established as the fair market value of the property listed herein.

That the Real Estate Division of the Engineering Department is authorized and directed to acquire the property through gift or voluntary negotiation based upon the approved fair market value.

That the property will be acquired in accordance with the FEMA '06 Buyout Program, using the proceeds from the sale of previously acquired Hazard Mitigation Grant Program properties, and that relocation is hereby authorized.

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That if the property owner(s) agree to convey the property to the city in an amount based on the established fair market value, including an approved administrative settlement(s), the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out this transaction and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department, and the Real Estate Division Manager is authorized and directed to complete these transactions in accordance with standard real estate practices.

That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all closing documents prior to closing.

That the City Clerk is hereby authorized and directed to endorse upon the executed Real Estate Documents the approval and acceptance of this Council and is further authorized and directed to deliver the aforementioned documents to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

That the Real Estate Division Manager is hereby authorized and directed to execute Maintain Vacancy Agreements and Rental Agreements, if necessary.

(Council Communication No. 06-185)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Emily Gould Chafa

Emily Gould Chafa
Assistant City Attorney

2006-07 Operating Budget: Special Revenue
Funds – Disaster Recovery Grants – Frisbee
Park – HMGP SP030 CDD049900, Page 314

PSW

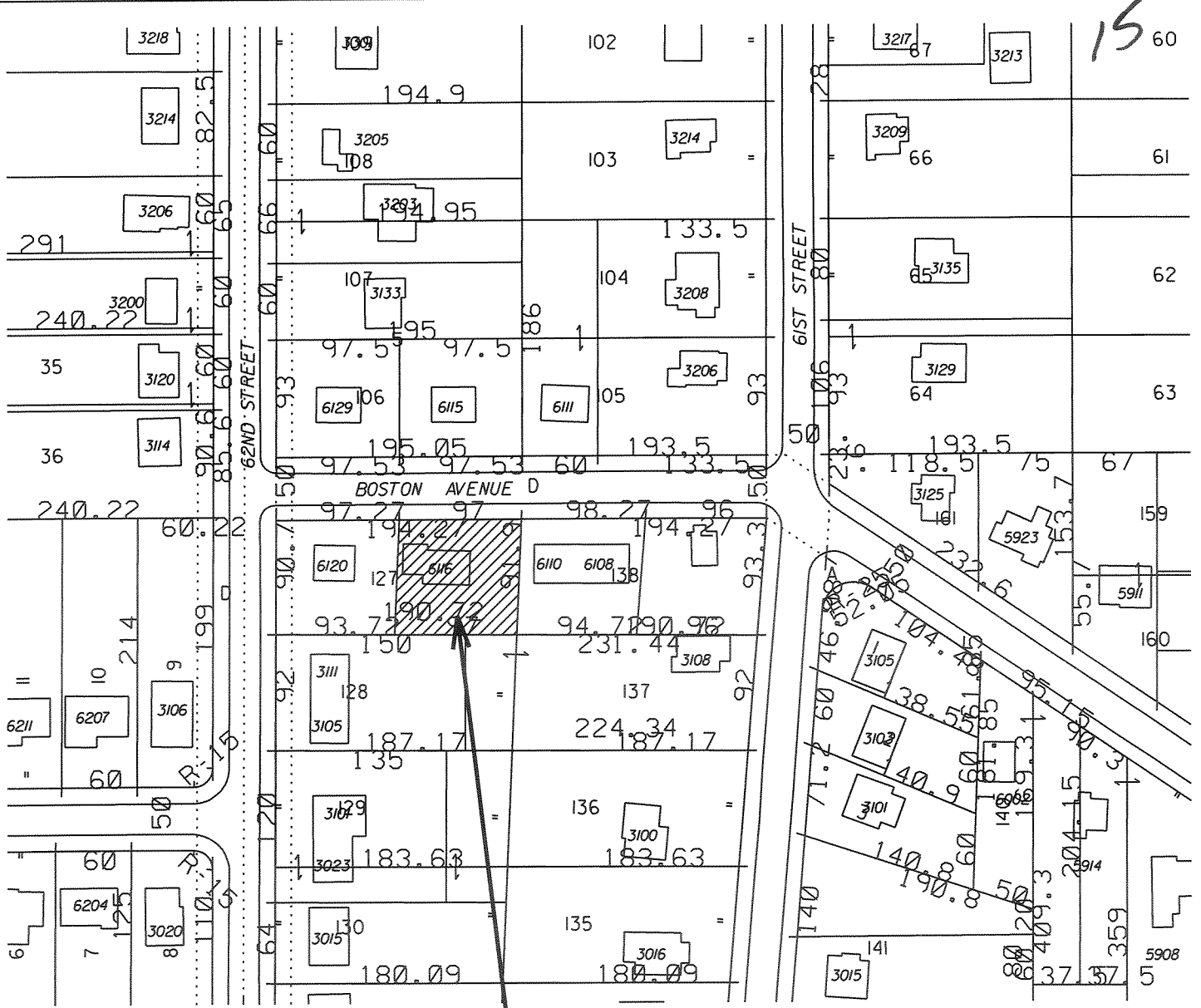
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
BROOKS				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

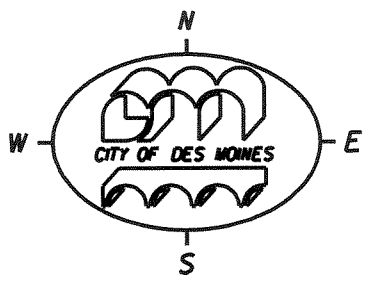
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk



**PROPERTY
LOCATION**



**PROPERTY ACQUISITION
FEMA '06 FLOOD BUYOUT
FRISBEE PARK PROCEEDS
ACTIVITY I.D. 32-2006-030**