

Date October 9, 2006

APPROVAL OF TRAIL ALIGNMENT,
AUTHORIZATION TO PROCEED, AND
AUTHORIZATION TO ACQUIRE RIGHT-OF-WAY FOR THE
WAVELAND TRAIL FROM 40th STREET TO 42nd STREET

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa: That the proposed alignment of the Waveland Trail from 40th Street to 42nd Street is hereby approved.

BE IT FURTHER 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 Waveland Trail from 40th Street to 42nd Street, which is included in the 2006-07 Capital Improvements Program, as outlined in the attached Council letter.

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

1. That the City Manager be and is hereby authorized to proceed with the necessary activities and negotiations to acquire by purchase, gift, or condemnation the necessary property interests for construction of the Waveland Trail from 40th Street to 42nd Street, 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.
2. That the property 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 is hereby authorized.
3. 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, or if a condemnation award is based on the established fair market value or falls within an approved settlement amount, 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 and state law requirements.

(Council Letter Number 06-630 attached)

★ **Roll Call Number**

Agenda Item Number

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Date October 9, 2006

Moved by _____ to adopt.

FORM APPROVED: Emily Gould Chafa
 Emily Gould Chafa
 Assistant City Attorney

Funding Source: 2006-07 CIP, Page Park-21, PKS045, Recreation Trails, G.O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

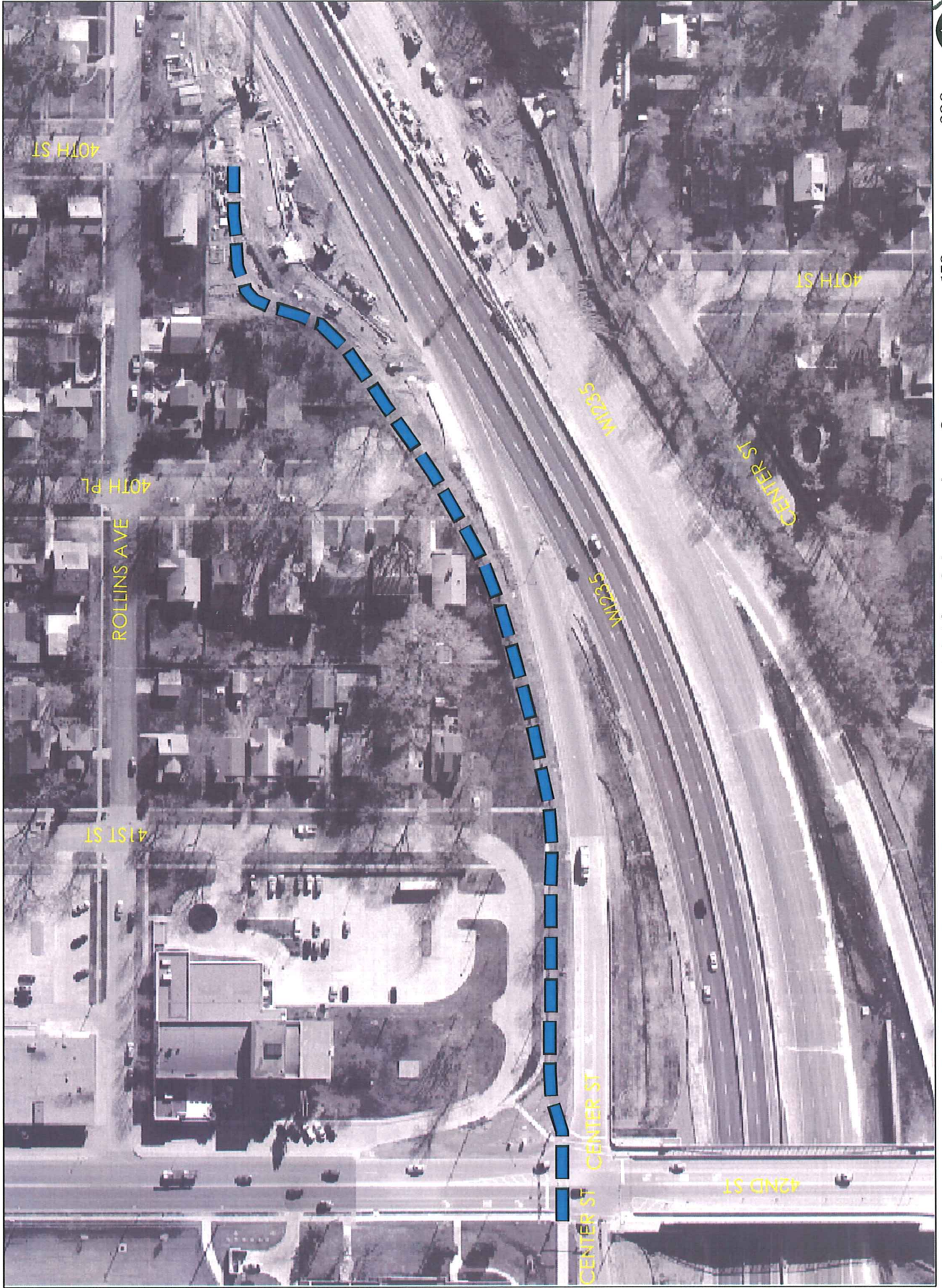
CERTIFICATE

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

 Mayor



Waveland Trail - 42nd Street to 40th Street



Activity ID: 11-2007-006



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