



Roll Call Number

21-0870

Agenda Item Number

37E(C)

Date June 14, 2021

APPROVING PAYMENT TO HAWKEYE LAND CO. FOR A CONDEMNATION CLAIM

WHEREAS, Hawkeye Land Co., have a claim against the City of Des Moines for a condemnation for a permanent easement for storm sewer and surface water flowage at 154 SE 34th Street, Des Moines, Iowa as part of the Leetown Creekway Channel Improvements Project; and

WHEREAS, a settlement agreement has been negotiated with the Hawkeye Land Co. and their attorney; and

WHEREAS, it is the opinion of the Legal Department that payment would be in the best interest of the City of Des Moines.

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

That the Legal Department is authorized to enter into the settlement agreement negotiated in this matter, execute any documents necessary to effectuate the terms of the settlement agreement, that payment of the settlement amount hereby is approved, and the Finance Director is authorized and directed to draw a warrant accordingly.

MOVED BY Gatto TO ADOPT

Form approved:

John O. Haraldson

John O. Haraldson Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk