

RESOLUTION NO. 1944

RESOLUTION OF INTENT AUTHORIZING THE ACQUISITION OF PROPERTY INTERESTS FOR THE WAPSI CREEK WIDENING AT BERANEK PARK PROJECT.

WHEREAS, the City has identified the need to improve drainageways in the vicinity of the old railroad bridge near Beranek Park and adjoining private property owners, said project being referred to as the "Wapsi Creek Widening at Beranek Park Project" (the "Project"); and

WHEREAS, the City of West Branch proposes to acquire property under the power of eminent domain for said parcels if voluntary negotiations are not successful; and

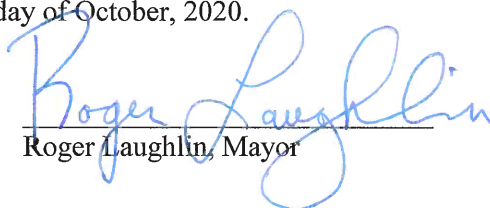
WHEREAS, pursuant to Section 6B.2C of the Code of Iowa (2019), the authority to condemn property is not conferred, and condemnation proceedings shall not commence, unless the governing body for the acquiring agency approves the use of condemnation and there is a reasonable expectation the applicant will achieve its public purpose, comply with all reasonable standards, and obtain the necessary permits.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the use of the power of eminent domain to acquire the property interests needed for the Project.

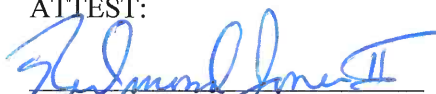
BE IT FURTHER RESOLVED, that the City Administration is directed to proceed with the proposed acquisitions of property and comply with all reasonable standards and obtain all necessary permits necessary to further said project in accordance with applicable law.

BE IT FURTHER RESOLVED, that the City Administrator is hereby directed to determine fair market value for the properties necessary to complete said project, and acquire said properties at fair market value via agreement, gift, trade or condemnation. Further, the Mayor and City Clerk are hereby directed to execute any and all documentation necessary to complete said acquisitions without further approval.

Passed and approved this 19th day of October, 2020.


Roger Laughlin, Mayor

ATTEST:


Redmond Jones II, City Clerk