

**RESOLUTION 2024-58**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS FOR BERANEK DRIVE.**

WHEREAS, the City Council of the City of West Branch believes that a portion of the paving for Beranek Drive is on private property; and

WHEREAS, the City of West Branch will move to acquire the property from the adjacent property owner; and

WHEREAS, the City of West Branch proposes to acquire property under the power of eminent domain if the property cannot be acquired voluntarily; and

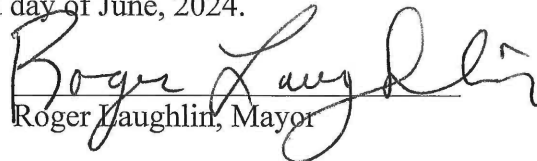
WHEREAS, pursuant to Section 6B.2C of the Code of Iowa (2023), the authority to condemn property is not conferred, and condemnation proceedings shall not commence, unless the governing body for the acquiring agency approves the use of condemnation and there is a reasonable expectation the applicant will 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 properties necessary for the Beranek Drive right-of-way.

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 for the Beranek Drive right-of-way, and acquire said properties at fair market value via voluntary 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 3rd day of June, 2024.

  
Roger Laughlin, Mayor

ATTEST:

  
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Leslie Brick, City Clerk