




# Iowa

## Known Condemnations Benefiting Private Parties <sup>166</sup>

Filed/Authorized Condemnations    3

Threatened Condemnations  100

Legend  = 1  = 100

### Clinton

Archer Daniels Midland announced in early 2006 that it wants to further expand its facilities to construct a PHA plastics plant.<sup>167</sup> The expansion will require the destruction of 100 homes. Officials swear that no one is even thinking about eminent domain, yet both Mayor LaMetta Wynn and State Senator Roger Stewart, whose district includes Clinton, lobbied hard for an exemption to Iowa legislation that would have limited municipalities' authority to seize property for private



Rodger Holmes

A Clinton home that officials want to acquire through eminent domain or the threat of it so Archer Daniels Midland can expand its nearby PHA plastics plant.

<sup>166</sup> These numbers were compiled from news sources. Many cases go unreported, and news reports often do not specify the number of properties against which condemnations were filed or threatened.

<sup>167</sup> Rachel Fredericksen, "Eminent domain issues resurface," *Clinton Herald*, March 24, 2006, at 1A.

projects.<sup>168</sup>

Eighty-four-year-old Helen Walker owned 10 properties (one of which was her home) that she sold under the threat of eminent domain to make way for a previous ADM expansion in 2005. She moved to another house two blocks away and will now have to move again whether she wants to or not.<sup>169</sup>

### **Council Bluffs (Chalet Motor Lodge)**

The City Council voted in November 2005 to use eminent domain to seize two properties. Officials wanted part of the Chalet Motor Lodge on Avenue G to build a viaduct but decided to seize the whole property because they want a new commercial development at the spot.<sup>170</sup> A March 2006 news article said the lodge was slated for demolition, indicating that the City had gained title to the property.<sup>171</sup>

### **Council Bluffs (Omaha Standard)**

The owner of the other property affected by the November 2005 vote—a building on South 25<sup>th</sup> Street that housed a sign company and a storage facility—sold shortly after, leaving two very unhappy tenants. Ray White, owner of Harmon Glass, had a lease until October 2007 with a renewal option after that. Neither he nor Joe Strachan, who used the building as a warehouse for his business, Iowa Rigger's Loft, wants to move, but their new landlord, the Pottawattamie County Development Corporation, is determined to get them out.

In December 2005, City Council members voted to condemn an adjacent property on West Broadway where Kim Elder and his family ran Finish Line Car Wash, for which they won the Chamber of Commerce's award for beautification after they fixed it up in 2002. Elder sold before being taken to court. A private developer will build some sort of retail project on the two properties, which are near the former Omaha Standard building. The buildings were acquired so the redevelopment would have a larger footprint.<sup>172</sup>

---

168 Dan Gearino, "Senator, mayor fight eminent domain bill; Measure passes Senate panel," *Quad-City Times*, March 23, 2006; Rachel Fredericksen, "Eminent domain issues resurface," *Clinton Herald*, March 24, 2006, at 1A.

169 Steven Martens, "South Clinton residents making way again for ADM expansion; An additional 100 homes to be bought under plan," *Quad-City Times*, March 24, 2006, at A4.

170 Tom Shaw, "Bluffs OKs eminent domain for 2 sites," *Omaha World-Herald*, November 15, 2005, at 1B; "City Council Meeting Minutes," *City Council of the City of Council Bluffs*, November 14, 2005, at <http://www.clerk.councilbluffs-ia.gov/documents/m11-14-05.doc> (retrieved May 12, 2006).

171 Tim Rowher, "Little remains in way of new viaduct," *Southwest Iowa News*, March 3, 2006, at [http://www.zwire.com/site/index.cfm?newsid=16235450&BRD=2703&PAG=461&dept\\_id=553867&crfi=8](http://www.zwire.com/site/index.cfm?newsid=16235450&BRD=2703&PAG=461&dept_id=553867&crfi=8) (retrieved May 18, 2006).

172 Tom Shaw, "Bluffs OKs eminent domain for 2 sites," *Omaha World-Herald*, November 15, 2005, at 1B; Phil Rooney, "Car wash closing part of development," *Southwest Iowa News*, April 29, 2006, at [http://www.zwire.com/site/index.cfm?newsid=16554856&BRD=2703&PAG=461&dept\\_id=553867&crfi=8](http://www.zwire.com/site/index.cfm?newsid=16554856&BRD=2703&PAG=461&dept_id=553867&crfi=8) (retrieved May 12, 2006); "City Council Meeting Minutes," *City Council of the City of Council Bluffs*, November 14, 2005, at <http://www.clerk.councilbluffs-ia.gov/documents/m11-14-05.doc> (retrieved May 12, 2006).