



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-224

SYNOPSIS -

AGENDA:

To accept a land gift of three acres from the J.C. White Revocable Trust.

MAY 17, 1999

FISCAL IMPACT -

SUBJECT:

There is no fiscal impact with this action.

LAND GIFT FROM
THE J.C. WHITE
REVOCABLE TRUST

RECOMMENDATION -

TYPE:

Approve a land gift of approximately three acres from the Trustees of the J.C. White Revocable Trust.

RESOLUTION
ORDINANCE
RECEIVE/FILE

BACKGROUND -

SUBMITTED BY:

J.C. White Landfill No. 4, located north of Aurora Avenue and east of the Des Moines River, was donated to the City in 1979. A small three-acre parcel of land, which is also part of the landfill operation, was not included as part of the original land donation. The J.C. White Trust is requesting the City accept the donation and square-off the property lines and complete the transaction as originally intended.

DONALD M. TRIPP
PARK AND
RECREATION
DIRECTOR

On December 3, 1979, by Roll Call No. 5442, J.C. White donated 28.07 acres of land to the City, located near 14th Street and 15th Street, east of the Des Moines River, north of Aurora Avenue. In addition the land donation, the City leased the property back to J.C. White for landfill operations. J.C. White assigned his rights, title, and interest to Landfill of Des Moines, Inc., now known as Central Recycling Co. Since that time, Central Recycling Co. was operating the landfill and operations were concluded on the White Landfill No. 4 in 1996.

In 1993, J.C. White attempted to donate the aforementioned

three-acre parcel to the City since it was previously part of the landfill operations. It was an oversight that the parcel was not included in the "original" 28-acre land donation.

On December 22, 1997, by Roll Call No. 97-4023, Council amended and extended an agreement with Central Recycling to properly close all landfill operations and restore the area according to terms and conditions of a closure permit. The regulations of the closure permit are assigned by the Iowa Department of Natural Resources (IDNR), Closure Permit No. 77-SDP-12-79C. The three-acre parcel, proposed as the land gift from the J.C. White Trust, is also part of the IDNR closure permit categorized for compliance by Central Recycling.

All of the appropriate documents, including the Quit Claim Deed and environmental assessment by the Engineering Department, have been prepared to complete the land gift transaction.