



# Council Communication

Office of the City Manager

**Date** January 22, 2007

**Agenda Item No.** 11  
**Roll Call No.** 07-  
**Communication No.** 07-032  
**Submitted by:** Jeb E. Brewer, P.E.,  
City Engineer

## **AGENDA HEADING:**

Resolution Establishing Fair Market Value and Authorizing Acquisition of Multiple Properties for the I-235 Deans Lake Storm Sewer Outlet Project - Phase II by gift, negotiation, or condemnation.

## **SYNOPSIS:**

Recommend approval of Fair Market Values and authorization to acquire property interests. This action establishes fair market values and approves acquisition of property interests for the Deans Lake Storm Sewer Outlet Project - Phase II. This action is required by state condemnation law before the City can proceed with an offer to purchase the necessary properties under the threat of eminent domain.

## **FISCAL IMPACT:**

Amount: \$64,200

Funding Source: 2006-07 CIP, Street Improvements, I-235 Storm and Sanitary Sewer Improvements, STR197, Page 23.

## **ADDITIONAL INFORMATION:**

The I-235 Deans Lake Storm Sewer Outlet Project - Phase II will require the acquisition of several permanent easements for construction of a new storm sewer as required by the I-235 reconstruction project. Des Moines Feed Company is the property owner of 2006 Hubbell Avenue, and the required permanent easement for storm sewer across this property has been appraised at \$10,600. The Union Pacific Railroad Company (UPRR) is the owner of an abandoned spur line located west of East 20<sup>th</sup> Court and between East Walnut Street and University Avenue. The required permanent easement for storm sewer across UPRR's property has been appraised at \$53,600. The recommended fair market values listed above are based on independent appraisals, and the appraisals have been reviewed by the City of Des Moines' Real Estate Division Appraiser.

## **PREVIOUS COUNCIL ACTION(S):**

Date: November 22, 2004

Roll Call Number: 04-2515

Action: Authorization to proceed with right-of-way acquisition for Deans Lake Outlet Storm Sewer Project – Phase II. Moved by Vlassis to adopt. Motion Carried 7-0.

Date: September 24, 2001

Roll Call Number: 01-2846

Action: Approving Professional Services Agreements with Veenstra & Kimm, Inc. for design and right-of-way acquisition services for I-235 as follows:

(A) Deans Lake Outlet Storm Sewer - Not to exceed \$344,517. ([Council Communication No. 01-490](#))  
Moved by Vlassis to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**