



Council Communication

Office of the City Manager

Date

August 11, 2008

Agenda Item No. 49
Roll Call No. 08-
Communication No. 08-473
Submitted by: **Jeb E. Brewer, P.E.**
City Engineer

AGENDA HEADING:

Hearing on vacation and conveyance of a segment of the east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley to Nationwide Mutual Insurance Company for \$42,560.

SYNOPSIS:

Recommend approval of vacation and conveyance of the east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley to Nationwide Mutual Insurance Company, Donald V. Friert, Jr., Vice President – Corporate Real Estate, 100 Locust Street, Des Moines, Iowa, 50309, for \$42,560. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. There is no current or anticipated public need for this property.

FISCAL IMPACT:

Amount: \$42,560 (Revenue)

Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG980500. The first \$175,000 of annual proceeds to the Property Maintenance Endowment Fund will be returned to the General Fund (GE001, ENG040700) to offset the operating budget of the Engineering – Real Estate division.

ADDITIONAL INFORMATION:

On June 23, 2008, by Roll Call No. 08-1098, the City Council adopted a recommendation from the City Plan and Zoning Commission that the east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley be vacated and sold, subject to an easement for the continued use and maintenance of any utilities now in place until they are removed or relocated at the owner's expense, and any use of the right-of-way in common with an adjoining property shall be in conformance with a site plan as approved by the City of Des Moines' Permit and Development Center.

Nationwide Mutual Insurance Company is in the process of purchasing the property at 204 12th Street, and their plan is to incorporate this property with the alley right-of-way they are purchasing from the City to allow them to construct a loading dock on the north side of the existing structure that is built up to the north property line. The property being conveyed consists of approximately 2,128 square feet.

Nationwide Mutual Insurance Company has submitted an offer of \$42,560 to purchase the above referenced right-of-way, which is equal to the estimated fair market value.

PREVIOUS COUNCIL ACTION(S):

Date: July 28, 2008

Roll Call Number: 08-1318

Action: On vacation and conveyance of segment of the east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley to Nationwide Mutual Insurance Company, \$42,560, (8-11-08). Moved by Kiernan to adopt. Motion Carried 7-0.

Date: June 23, 2008

Roll Call Number: 08-1098

Action: Regarding request from Nationwide Mutual Insurance Company for vacation and conveyance of segment of east/west alley between Walnut Street and Mulberry Street from 12th Street to north/south alley, to allow for loading dock addition on north side of 204 12th Street, subject to conditions. Moved by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: June 5, 2008

Roll Call Number: Plan and Zoning Commission

Action: Approval of request from Nationwide Mutual Insurance Company for vacation and conveyance of a segment of east/west alley between Walnut Street and Mulberry Street from 12th Street to the north/south alley, subject to provision of easements for all existing utilities in place until they are removed or relocated at the owner's expense, and any use of the right-of-way in common with an adjoining property to be in conformance with a site plan as approved by the Permit and Development Center.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.