



Council Communication

Office of the City Manager

Date

February 23, 2009

Agenda Item No. 15
Roll Call No. 09-
Communication No. 09-110
Submitted by: **Jeb E. Brewer, P.E.**
City Engineer

AGENDA HEADING:

Resolution establishing fair market value of property located at 5833 Pleasant Drive for the Waveland Trail Project – Phase I.

SYNOPSIS:

Recommend approval of fair market value. This action establishes fair market value of property interests for the Waveland Trail Project – Phase I. State law requires this action before the City can proceed with an offer to purchase the necessary properties under the threat of eminent domain.

FISCAL IMPACT:

Amount: \$30,000 (plus closing costs)

Funding Source: 2008-09 CIP, Park Improvements – Recreation Trails, PKS045, Page – Park Improvements – 22.

ADDITIONAL INFORMATION:

On January 26, 2009, by Roll Call No. 09-136, the City Council of the City of Des Moines authorized acquisition of the necessary right-of-way and easements for the Waveland Trail Project – Phase I.

This project starts just south of the small bridge on the Walnut Creek Trail. This trail will follow a northeasterly route along the east side of what is commonly known as Golf/Cummins Creek along the publicly-owned greenway to Pleasant Street, where it passes under the bridge, which is slated for replacement by the City in 2009. The bridge will be designed with the trail in mind and allow adequate room for the trail to pass beneath. On the north side of the bridge, the route enters onto private property owned by Michael and Nadine Kastner, continuing easterly on a route parallel to Interstate 235 (I-235) along the north edge of the Kastner property to 56th Street at the point where it intersects with I-235.

This project requires the purchase of a several property interests from the property owned by Michael and Nadine Kastner, 5833 Pleasant Drive, Des Moines, Iowa. The property interests required include a partial fee acquisition and a temporary easement for construction. An independent appraiser has determined the value of these interests to be \$30,000. Relocation assistance will not be required for this project.

This project also required the purchase of excess freeway right-of-way located on the west side of 56th Street south of I-235 from the Iowa Department of Transportation (IDOT). IDOT is currently surveying

the excess land that is available to be conveyed for the project and will require the City to pay the fair market value of the property, based on an independent appraisal. Upon completion of the appraisal, it will be submitted to the City Council or City Manager, as applicable, for approval to proceed with the purchase of his property.

PREVIOUS COUNCIL ACTION(S):

Date: January 26, 2009

Roll Call Number: 09-136

Action: On intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property for the Waveland Trail, Phase 1 Project. (Council Communication No. 09-040) Moved by Hensley to adopt. Motion Carried 7-0.

Date: January 5, 2009

Roll Call Number: 09-028

Action: On intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property for the Waveland Trail, Phase 1 Project. Moved by Hensley to continue the public hearing until January 26, 2009, at 5:00 PM, in the Council Chambers. Motion Carried 7-0.

Date: March 24, 2008

Roll Call Number: 08-531

Action: Waveland Trail Phase I recommended trail route. (Council Communication No. 08-156) Moved by Hensley to approve. Motion Carried 6-1. Absent: Meyer.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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