



Council Communication

Office of the City Manager

Date

August 24, 2009

Agenda Item No. 15
Roll Call No. ~~09-~~
Communication No. ~~09-604~~
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Resolution establishing fair market value of multiple properties for the Merle Hay Road and Urbandale Avenue Intersection Improvements Project.

SYNOPSIS:

Recommend approval of fair market value of property interests for the Merle Hay Road and Urbandale Avenue Intersection Improvements Project. State law requires this action before the City can proceed with an offer to purchase the necessary properties under the threat of eminent domain. This action also authorizes payments for relocation assistance in accordance with state and federal regulations.

FISCAL IMPACT:

Amount: \$201,849 plus closing costs and relocation assistance.

Funding Source: 2009-10 CIP, Street Improvements, Merle Hay Road and Urbandale Avenue Intersection Improvements, Page Street Improvements – 24, STR235, IDOT Funds and G.O. Bonds

ADDITIONAL INFORMATION:

This project provides for the widening of the north and south approaches on Merle Hay Road in order to provide left turn lanes. The current pavement width of 49 feet will be widened to 65 feet. A raised median will be installed on Merle Hay Road within the vicinity of the intersection. New traffic signals with back plates will also be installed, including north-south left turn phasing. A ten-foot clear zone will be established within the limits of the project.

On April 22, 2009, the City received authorization from the Iowa Department of Transportation (IDOT) to commence acquisition of all necessary property interests for this project. The properties listed below will require partial fee acquisitions and temporary easements in order to construct the project improvements. None of the properties listed below will be required to relocate as part of the project, but several business signs will need to be moved further back onto the affected properties to accommodate the construction of the project improvements. Because of loss of parking, the commercial tenant of the property located at 2911 Merle Hay Road may be eligible for relocation assistance. The required property interests to be acquired from each property below have been appraised by an independent appraiser, and the appraisals are being reviewed by IDOT.

Brian E. Ellingson is the titleholder of the commercial property at 2911 Merle Hay Road, which is developed with an 1,100 square foot office space and 16 apartments. The property interests required for

this project have been appraised at \$36,451 for a partial fee acquisition and temporary easement for construction. The commercial leasehold interest has been valued at an additional \$3,000. Due to the loss of designated parking for the commercial office space, the tenant (State Farm Insurance) will be eligible for relocation assistance benefits, if they choose to relocate to a new location. This acquisition will also require relocation of a business sign.

D & D Interests, LLC is the titleholder of the commercial property at 3001 Merle Hay Road, which is developed with a neighborhood retail center and 36 apartments. The property interests required for this project have been appraised at \$91,499 for a partial fee acquisition, landscaping replacement and temporary easement for construction. This acquisition will require relocation of two business signs.

Richard B. Margulies is the titleholder of the commercial properties at 3101 and 3107 Merle Hay Road, which is developed with a neighborhood retail center and a house that has been converted for commercial use. The property interests required for the project have been appraised at \$70,899 for a partial fee acquisition, landscaping replacement, and temporary easement for construction. This acquisition will require relocation of three business signs.

PREVIOUS COUNCIL ACTION(S):

Date: March 23, 2009

Roll Call Number: 09-454

Action: Authorization to acquire the necessary right-of-way and easements for the Merle Hay Road and Urbandale Avenue Intersection Improvements Project. (Council Communication No. 09-169) Moved by Hensley to adopt. Motion Carried 5-2.

Date: March 23, 2009

Roll Call Number: 09-453

Action: Approving and authorizing execution of Iowa Department of Transportation Addendum to the Predesign Agreement for Merle Hay Road (Iowa 28) widening at Urbandale Avenue. (Council Communication No. 09-171)

) Moved by Hensley to adopt. Motion Carried 5-2.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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