



Council Communication

Office of the City Manager

Date

September 28, 2009

Agenda Item No. 15
Roll Call No. ~~09-~~
Communication No. 09-697
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Resolution establishing revised fair market value for property located in the vicinity of 2001 Hubbell Avenue from Union Pacific Railroad Company for the I-235 Dean's Lake Outlet Sewer – Phase 2 Project.

SYNOPSIS:

Recommend approval of revised fair market value for property located in the vicinity of 2001 Hubbell Avenue from Union Pacific Railroad Company (UPRR), Alissa M. Hackle, Manager – Real Estate Sales, 1400 Douglas Street, Stop 1690, Omaha, NE 68179, for the I-235 Dean's Lake Outlet Sewer – Phase 2 Project. This action approves the revised fair market value of property interests for the Dean's Lake Storm Sewer Outlet Project – Phase 2. This action is required by State law before the City can proceed with a revised offer to purchase the necessary properties under the threat of eminent domain.

FISCAL IMPACT:

Amount: \$56,300, plus closing costs

Funding Source: 2009-10 CIP, Street Improvements, I-235 Storm and Sanitary Sewer Improvements, Page Street Improvements – 20, STR197.

ADDITIONAL INFORMATION:

The I-235 Dean's Lake Storm Sewer Outlet Project – Phase 2 will require the acquisition of several permanent easements for construction of a new storm sewer, as required by the I-235 reconstruction project. UPRR is the titleholder of a large strip of land that runs north/south between Ankeny Avenue and East Walnut Street, south of Frederick M. Hubbell Avenue. As part of the negotiations to acquire the required property interests for this project, UPRR requested a change from a partial fee interest acquisition to a permanent easement acquisition to allow for potential future rail expansion. Due to this change, the appraisal was updated and the value of the property interests to be acquired was reduced from the original appraised value of \$96,200 to \$56,300. This acquisition will not require relocation assistance.

PREVIOUS COUNCIL ACTION(S):

Date: July 14, 2008

Roll Call Number: 08-1174

Action: Establishing fair market value at 2001 Hubbell Avenue from Union Pacific Railroad Company for the I-235 Dean's Lake Outlet Sewer Project - Phase 2, \$96,200. (Council Communication No. 08-407) Moved by Mahaffey to adopt. Motion Carried 7-0.

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.

BOARD/COMMISSION ACTION(S): NONE

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.