



# Council Communication

Office of the City Manager

<b>Date</b>	February 8, 2010
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<b>Agenda Item No.</b>	<b>13</b>
<b>Roll Call No.</b>	<b><u>10-</u></b>
<b>Communication No.</b>	<b><u>10-071</u></b>
<b>Submitted by:</b>	<b>Job E. Brewer, P.E., City Engineer</b>

## **AGENDA HEADING:**

Resolution establishing fair market value of property owned by Union Pacific Railroad Company for the Des Moines and Raccoon Rivers – Birdland Levee Project.

## **SYNOPSIS:**

Recommend approval of fair market value for property owned by the Union Pacific Railroad Company (UPRR), Alissa M. Hackel, Real Estate Manager, 1400 Douglas Street, Omaha, Nebraska, 68179-1001. This action establishes fair market value of property interests for the Des Moines and Raccoon Rivers – Birdland Levee Project. State law requires this action before the City can proceed with an offer to purchase the necessary property interests under the threat of eminent domain. UPRR is the titleholder of several parcels of property from an abandoned rail line located between McHenry Park and Riverview Nature Island. The property interests required from UPRR for construction of this project have an estimated fair market value of \$17,550 for a partial fee acquisition, and \$82,500 for voluntary purchase of several remnant parcels located on both ends of the abandoned rail line property that are being recommended for purchase, all as determined by an independent appraiser.

## **FISCAL IMPACT:**

Amount: \$17,550 plus closing costs for the partial fee acquisition and \$82,500 plus closing costs for the remnant parcels that are recommended for purchase.

Funding Source: 2009/10 CIP, Flood Protection System Improvements, Page Storm Water Improvements – 11, FLD008.

## **ADDITIONAL INFORMATION:**

On October 12, 2009, by Roll Call No. 09-1834, the City Council authorized acquisition of the necessary right-of-way and easements for this project. The City will need to acquire several parcels of land from an abandoned rail line owned by UPRR. The acquisition of these parcels will create remnant parcels on both ends of the abandoned rail line, which have been appraised separately and are also being recommended for purchase if a voluntary agreement can be reached with UPRR. The property required from Union Pacific Railroad for this project has been appraised by an independent appraiser at \$17,550 for a partial fee acquisition and \$82,500 for the remnant parcels that are being recommended for voluntary purchase. The total appraised value for all parcels owned by UPRR for this project is \$100,050. This acquisition will not require relocation assistance.

**PREVIOUS COUNCIL ACTION(S):**

Date: October 12, 2009

Roll Call Number: 09-1834

Action: Authorization to proceed with acquisition of the necessary right-of-way and easements. Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: October 12, 2009

Roll Call Number: 09-1833

Action: Approving Project Partnership Agreement with Department of the Army for construction. Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: July 27, 2009

Roll Call Number: 09-1395

Action: Authorization to submit a grant application to I-Jobs for flood related improvements, repair and mitigation and other public improvements and approval of City of Des Moines matching fund commitment requirements. (Council Communication No. 09-518) Moved by Meyer to approve. Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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