 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	November 7, 2011
	Agenda Item No. 43 Roll Call No. <u>11-1897</u> Communication No. <u>11-681</u> Submitted by: William G. Stowe, Assistant City Manager – Public Works Director and Jeb E. Brewer, P.E., City Engineer	

AGENDA HEADING:

Hearing for conveyance of City-owned property to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the WRA New Main Outfall Sewer Phase 17, Segments 3 and 4 Project for \$88,700.

SYNOPSIS:

Recommend conveyance of a portion of vacated Southeast 21st Street lying south of Maury Street and a portion of the City-owned property to the west of vacated Southeast 21st Street to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), E. J. Giovannetti, WRA Board Secretary, 3000 Vandalia Road, Des Moines, Iowa, 50317-1346. The property is being requested for purchase by the WRA for conveyance for salvage yard expansion to the owners of Yaw Auto Salvage, 929 Southeast 21st Street, in exchange and as consideration for easement interests needed by the WRA from the Yaws for the WRA New Main Outfall Sewer Phase 17, Segments 3 and 4 Project. There is no current or anticipated public need for this property and this action is required by Iowa law prior to making a final determination of the proposed sale by resolution.

FISCAL IMPACT:

Amount: \$88,700 (Revenue)

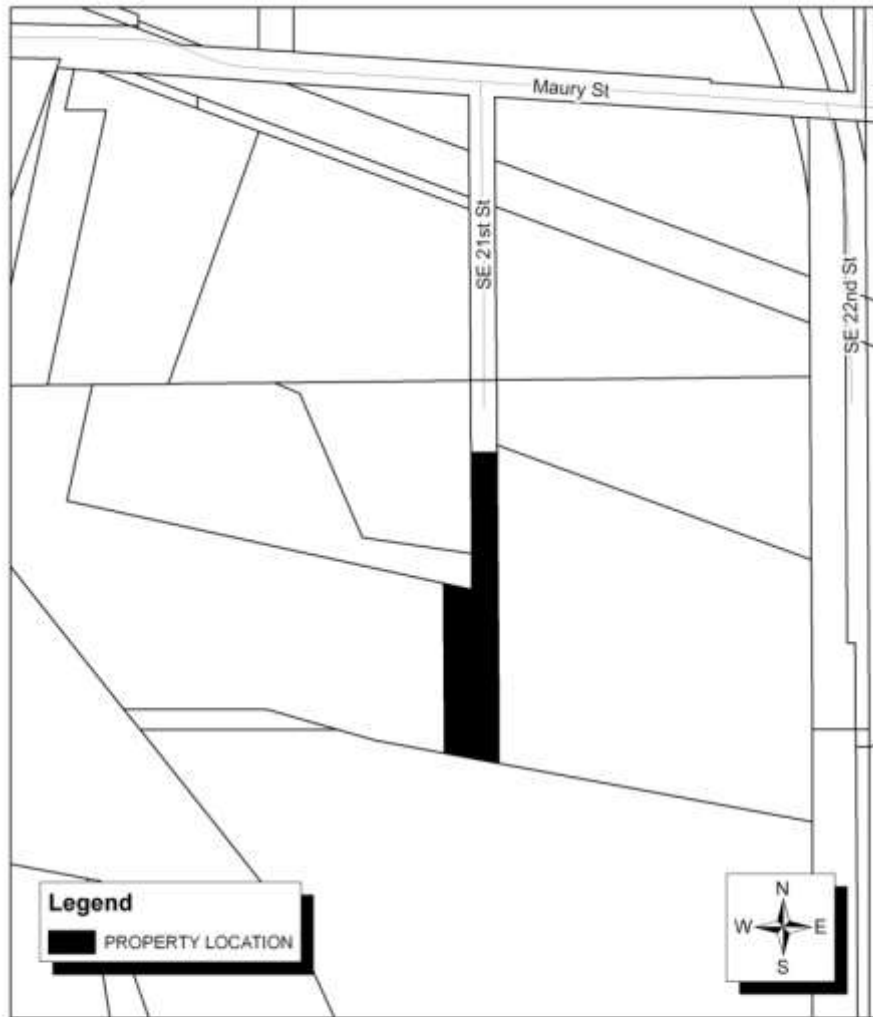
Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG0980500. The first \$175,000 of annual proceeds to the Property Maintenance Endowment Fund will be returned to the General Fund (GE001, ENG040700) to offset the operating budget of the Engineering – Real Estate Division.

ADDITIONAL INFORMATION:

The Des Moines Metropolitan Wastewater Reclamation Authority (WRA) has offered the City of Des Moines the purchase price of \$88,700 for the purchase of a portion of vacated Southeast 21st Street lying south of Maury Street and a portion of the City-owned real property to the west of vacated Southeast 21st Street. This property consists of approximately 70,945 square feet and the purchase price reflects the fair market value of the property as currently estimated by the City’s Real estate Division by utilizing land values established in recent independent appraisals of land in the area.

The WRA has requested the purchase of this property for conveyance for salvage yard expansion to the owners of Yaw Auto Salvage, 929 Southeast 21st Street, in exchange and as consideration for easement interests needed by the WRA from the Yaws for the WRA New Main Outfall Sewer Phase 17, Segments 3 and 4 Project, which Land Exchange Agreement between the WRA and the Yaws was approved by the WRA Board at its meeting on October 18, 2011. There is no current or anticipated public need to this property and conveyance of the property will allow the WRA to proceed with their project.

A portion of the property to be conveyed will require rezoning approval by the City Council and approval of a Conditional Use Permit by the Zoning Board of Adjustment. If such approvals are not granted, then Yaw Auto Salvage will not be permitted to use the property for expansion of their auto salvage business, and the WRA will convey the property back to the City. In such case, the WRA will likely have to use condemnation to acquire the property interests required for the sewer project.



DISPOSITION - WRA

PREVIOUS COUNCIL ACTION(S):

Date: October 24, 2011

Roll Call Number: [11-1780](#)

Action: On conveyance of City-owned property to Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the WRA New Main Outfall Sewer Phase 17, Segments 3 & 4 Project, \$88,700, (11-7-11). Moved by Mahaffey to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: WRA Board

Date: October 18, 2011

Resolution Number: 11-139

Action: Resolution approving land exchange and relocation agreement and setting hearing for conveyance of real property to Thomas Edward Yaw, Bobbi Jo Yaw, Carl Joseph Yaw and Cherill Lorraine Yaw as land exchange for the WRA New Main Outfall, Phase 17, Segments 3 and 4 Project.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Rezoning approval by the City Council and approval of a Conditional Use Permit by the Zoning Board of Adjustment.

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.