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|  <p style="text-align: center;">Council Communication Office of the City Manager</p> | Date: June 11, 2012 |
| | Agenda Item No. 51 Roll Call No. <u>12-0921</u> Communication No. <u>12-290</u> Submitted by: Jeb E. Brewer, P.E., City Engineer |

AGENDA HEADING:

Continued hearing for vacation and conveyance of a portion of 15th Street adjoining 1440 Walnut Street for the Crane Building Redevelopment Project for \$12,600.

SYNOPSIS:

Recommend approval for vacation and conveyance of such property interests to MDI Limited Partnership #86, Lawrence Olson, Sole Member, 1600 University Avenue, Suite 212, St. Paul, Minnesota, 55104, for \$12,600. These property interests are being requested for the Crane Building Redevelopment Project. There is no current or anticipated public need for this property. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

FISCAL IMPACT:

Amount: \$12,600 (Revenue)

Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG980500. 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:

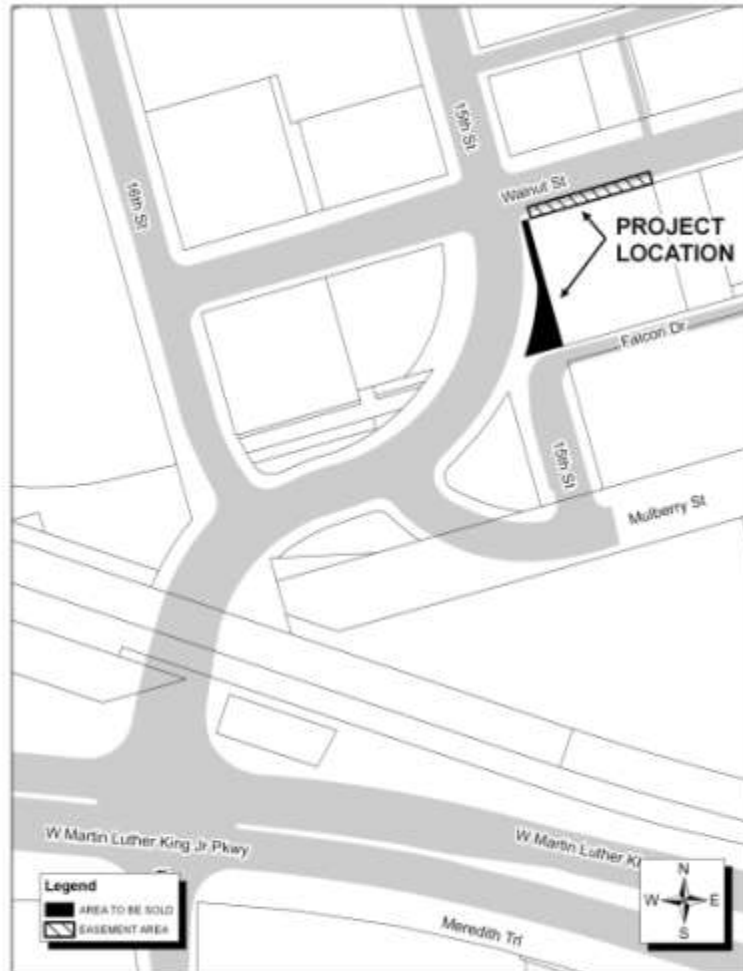
On March 26, 2012, by Roll Call No. 12-0452, the City Council received the recommendation from the Plan and Zoning Commission to vacate a portion of 15th Street right-of-way adjoining the property locally known as 1440 Walnut Street (Crane Building), subject to reservation of an easement for utilities currently in place.

On May 7, 2012, by Roll Call No. 12-0692, the City Council received the recommendation from the Plan and Zoning Commission to vacate a portion of the subsurface area of City right-of-way along Walnut Street adjoining the property locally known as 1440 Walnut Street (Crane Building), subject to reservation of an easement for utilities currently in place.

MDI Limited Partnership #86 is the owner of property at 1440 Walnut Street that abuts the above-described right-of-way, and has offered to the City of Des Moines the purchase price of \$12,600 for the vacation and purchase of a portion of 15th Street, but has decided not to purchase the permanent easement within the subsurface portion of City right-of-way along Walnut Street, and will be abandoning the subsurface area instead by removing said encroachment in accordance with City building code requirements. In addition, as part of the subsurface area abandonment and other planned

improvements for the redevelopment of the Crane Building, the City's Economic Development Department will be providing funding from a Façade Improvement Grant program.

The 15th Street right-of-way being purchased consists of approximately 1,879 square feet. The purchase price reflects the restricted use fair market value of the property as estimated by the City's Real Estate Division, which includes a no-build restriction and an access easement to the City for continued maintenance of the adjoining retaining wall and fence that were constructed as part of the 15th/16th Street connector project.



PREVIOUS COUNCIL ACTION(S):

Date: May 21, 2012

Roll Call Number: [12-0827](#)

Action: [On](#) vacation and conveyance of a portion of 15th Street and of a subsurface easement along Walnut Street adjoining 1440 Walnut Street for the Crane Building Redevelopment Project, \$12,600 and to continue to June 11, 2012 at 5:00 PM. ([Council Communication No. 12-246](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 7, 2012

Roll Call Number: [12-0692](#)

Action: [On](#) vacation and conveyance of a portion of 15th Street and of a subsurface easement along Walnut Street adjoining 1440 Walnut Street for the Crane Building Redevelopment Project, \$12,600, (5-21-12). Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 7, 2012

Roll Call Number: [12-0691](#)

Action: [Receive](#) and file recommendation from Plan and Zoning Commission regarding request from MDI Limited Partnership #86 for vacation of the subsurface of a 129 ft. by 12 ft. segment of Walnut Street adjoining 1440 Walnut Street, subject to reservation of easements. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: March 15, 2012

Resolution Number: 11-2012-1.04

Action: Request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (partner) for vacation and conveyance of an irregular segment of 15th Street right-of-way adjoining the subject property for incorporation into the Crane Artist Lofts.

Board: Plan and Zoning Commission

Date: May 3, 2012

Resolution Number: 11-2012-1.05

Action: Request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (sole member) for vacation of the subsurface of a 129-foot by 12-foot segment of Walnut Street adjoining the subject property.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City Council approval of a Façade Improvement Grant on June 25, 2012.

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.