

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 17, 2012
	Agenda Item No.	7-I
	Roll Call No.	<u>12-1914</u>
	Communication No.	<u>12-634</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approving and authorizing the execution of Contract of Purchase between Norfolk Southern Railway Company (NSR) and City of Des Moines for the Southeast Connector Project, \$756,879.

SYNOPSIS:

Recommend approval of the Contract of Purchase between the City of Des Moines and NSR, P. G. Carroll, Assistant Vice President – Real Estate, 1200 Peachtree Street, NE, Atlanta, Georgia, 30309-3579, for the partial acquisitions, temporary construction easements, permanent easement for roadway overpass, and total fee acquisition of property owned by NSR required for the Southeast Connector project.

FISCAL IMPACT:

Amount: \$756,879

Funding Source: 2012-13 CIP, Page Street-36, Southeast Connector-S.E. 14th Street to S.E. 30th Street, STR249, \$403,940 GO Bonds and \$352,939 RISE

ADDITIONAL INFORMATION:

The Contract of Purchase Agreement between the City of Des Moines and NSR allows the City to acquire property interests required for the Southeast Connector project, including:

1. A partial fee acquisition of the Wye property located north of Scott Avenue and west of SE 18th Street consisting of approximately 97,304 square feet for \$659,554.
2. A partial fee acquisition of 46,636 square feet, temporary easement for construction of 108,768 square feet and permanent easement for roadway overpass of 16,333 square feet on property located north of Scott Avenue for construction of the bridge for the SE 22nd Street overhead railroad crossing. The total acquisition cost for these parcels is \$46,325.
3. A total fee acquisition of 55,472 square feet of property located near Titan Tire Corporation at SE 25th Court, along with a temporary easement for construction of 123,929 square feet for an acquisition cost of \$51,000.

The above acquisition prices represent the estimated fair market values as determined by independent appraisals and a relocation settlement for the permanent displacement of the Wye property.

On August 27, 2012, by Roll Call No. 12-1328, City Council approved Department of Transportation Conditional and Preliminary Term Sheet for the TIGER Discretionary Grant for the Southeast Connector Project between SE 14th Street and SE 30th Street. The Term Sheet included an interim milestone of December 2012 for the Burlington Northern Santa Fe (BNSF) and NSR agreements. Execution of this Agreement and the construction and flagging agreement presented in a separate Council item will satisfy the established deadline for NSR.

PREVIOUS COUNCIL ACTION(S):

Date: August 27, 2012

Roll Call Number: [12-1328](#)

Action: Items regarding the Southeast Connector Project, SE 14th to SE 30th Street: (A) Approving the execution of Department of Transportation Conditional and Preliminary Term Sheet for the TIGER Discretionary Grant. ([Council Communication No. 12-450](#)) Moved by Coleman to adopt. Motion Carried 7-0.

Date: November 21, 2011

Roll Call Number: [11-1939](#) and [11-1940](#)

Action: Items regarding Southeast Connector: (A) Approving Iowa Department of Transportation (IDOT) RISE Agreement. ([Council Communication No. 11-711](#)) (B) Approving Professional Services Agreement with Kirkham Michael & Associates, Inc. for design services on SE 14th to SE 30th Street, not to exceed \$2,953,706. ([Council Communication No. 11-709](#)). Moved by Meyer to adopt. Motion Carried 7-0.

Date: October 25, 2010

Roll Call Number: [10-1786](#)

Action: [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for the SE Connector – SE 14th Street to SE 30th Street. ([Council Communication No. 10-636](#)). Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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