 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	January 14, 2013
	Agenda Item No. Roll Call No. Communication No. Submitted by:	51 <u>13-7200</u> <u>13-008</u> Matthew A. Anderson Assistant City Manager and Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing on land exchange agreement between the Jerry Jay Miller Family Trust and the City of Des Moines for comparable parcels in the Central Place Business Park between Ohio Street and the Des Moines River Levee.

SYNOPSIS:

Recommend approval of proposed land exchange agreement between Jacqueline Miller and Donald Steele, as Trustees of the Jerry Jay Miller Family Trust (“Miller Trust”) and the City of Des Moines for exchange of comparable parcels of real property in the Central Place Business Park between Ohio Street and the Des Moines River Levee.

The exchange of the excess City-owned property to the Miller Trust for equivalent property will allow redevelopment of the Miller Trust real estate holdings, and will create a larger contiguous City-owned parcel to be offered through the Office of Economic Development for redevelopment in the Central Place Business Park. The City will also benefit by obtaining new and revised permanent easements needed for the Central Place levee from the Miller Trust. The City’s Real Estate Division has determined the properties to be exchanged to be comparable in value, condition, and use.

FISCAL IMPACT:

Amount: \$0 (Land Exchange)

Funding Source: N/A

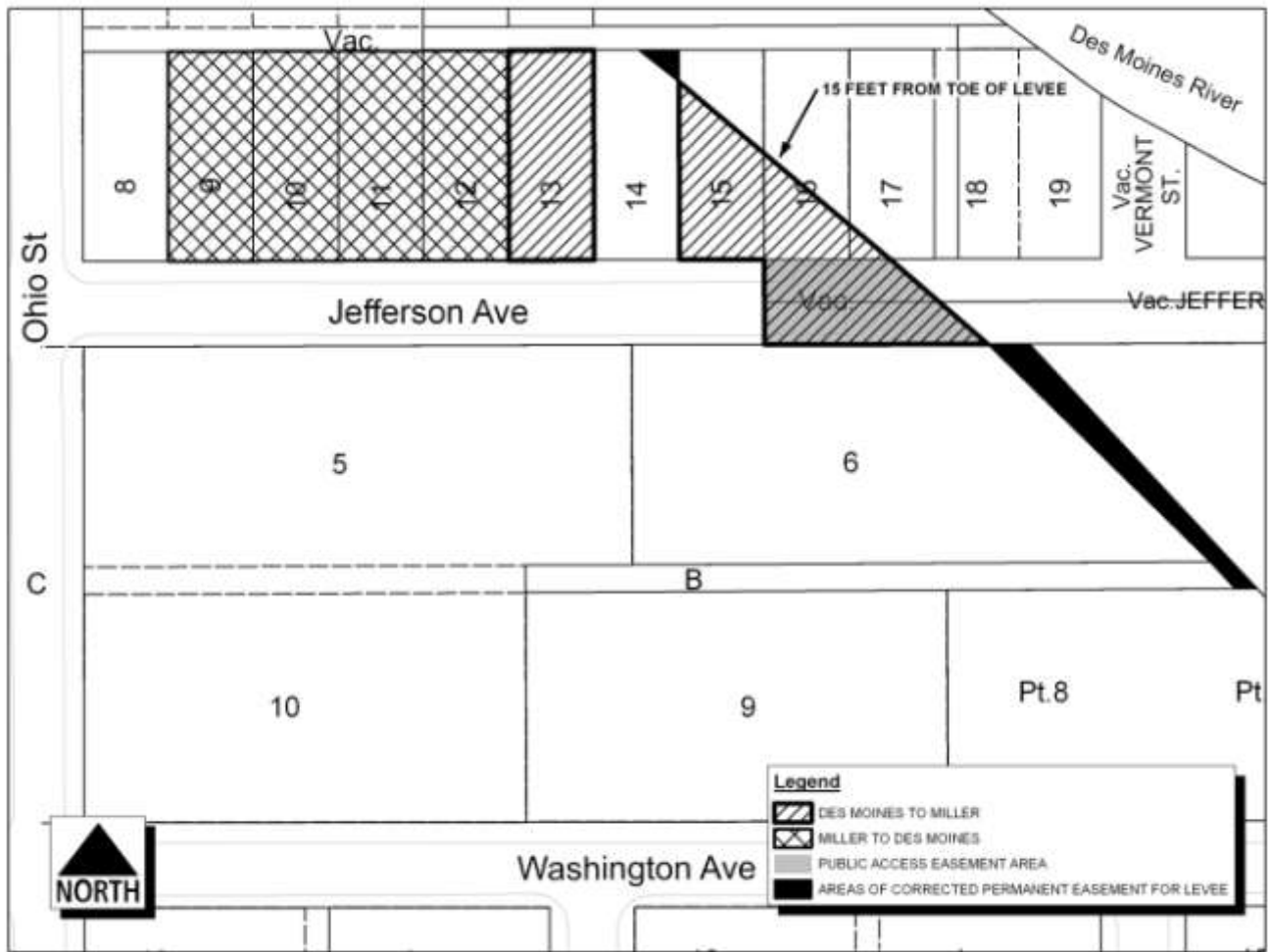
ADDITIONAL INFORMATION:

On December 17, 2012, by Roll Call No. 12-1931, the Des Moines City Council proposed conveyance of excess City-owned real property locally known as 17 Jefferson Avenue, a portion of the real property locally known as 13 Jefferson Avenue, a portion of Polk County District/Parcel Nos. 080/05836-000-000 and 080/05837-000-000, and vacated Jefferson Avenue, subject to reservation upon a portion thereof of a permanent easement for levee purposes, to the Miller Trust in exchange and as consideration for conveyance to the City of the real property locally known as 19, 21, 23 and 95 Jefferson Avenue as owned by Miller Trust and new and revised permanent easements for the Central Place levee upon property owned by Miller Trust. The City Council further resolved that the proposed

conveyance pursuant to land exchange agreement be set down for hearing on January 14, 2013, at 5:00 p.m., in the Council Chamber.

The Land Exchange Agreement provides that both parties are acquiring the exchanged parcels “as-is”, and that either party may conduct environmental assessment and terminate the Agreement prior to closing on the basis of said assessment if so desired. The City’s Environmental Engineer recommended that a Phase 2 environmental assessment be performed upon the properties being conveyed to the City.

The results of the Phase 2 Environmental assessment displayed no environmental impediment for the proposed land exchange.



PREVIOUS COUNCIL ACTION(S):

Date: December 17, 2012

Roll Call Number: [12-1931](#)

Action: [On](#) Land Exchange Agreement with Jerry Jay Miller Family Trust for comparable parcels in the Central Place Business Park between Ohio Street and the Des Moines River Levee, (1-14-13). Moved by Hensley 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 first 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.