 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> March 25, 2013
	<b>Agenda Item No.</b> 43 <b>Roll Call No.</b> <u>13-0493</u> <b>Communication No.</b> <u>13-146</u> <b>Submitted by:</b> <b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation of a portion of the east/west segment of alley between Reigart Street and East Holcomb Avenue, west of Oxford Street, and on land exchange agreement between EIW, LLC and the City of Des Moines for comparable parcels in the vicinity of 129 East Holcomb Avenue.

**SYNOPSIS:**

Recommend approval of vacation and conveyance of a portion of the east/west segment of alley between Reigart Street and East Holcomb Avenue, west of Oxford Street, and conveyance of 146 East Holcomb Avenue and Polk County District/Parcel Nos. 070/04438-001-000 and 070/05165-001-000 to EIW, LLC, Gary Krantz, Owner, 129 East Holcomb Avenue, Des Moines, Iowa, 50313, in exchange for comparable property located at 136 Reigart Street. This action is required by Iowa Law prior to making a final determination on the proposed vacation and land exchange by resolution.

The land exchange will allow both parties to assemble larger parcels of land to accommodate current uses and future development. The properties to be exchanged are comparable in value, as determined by the City’s Real Estate Division.

**FISCAL IMPACT:**

Amount: \$0 (Land Exchange)

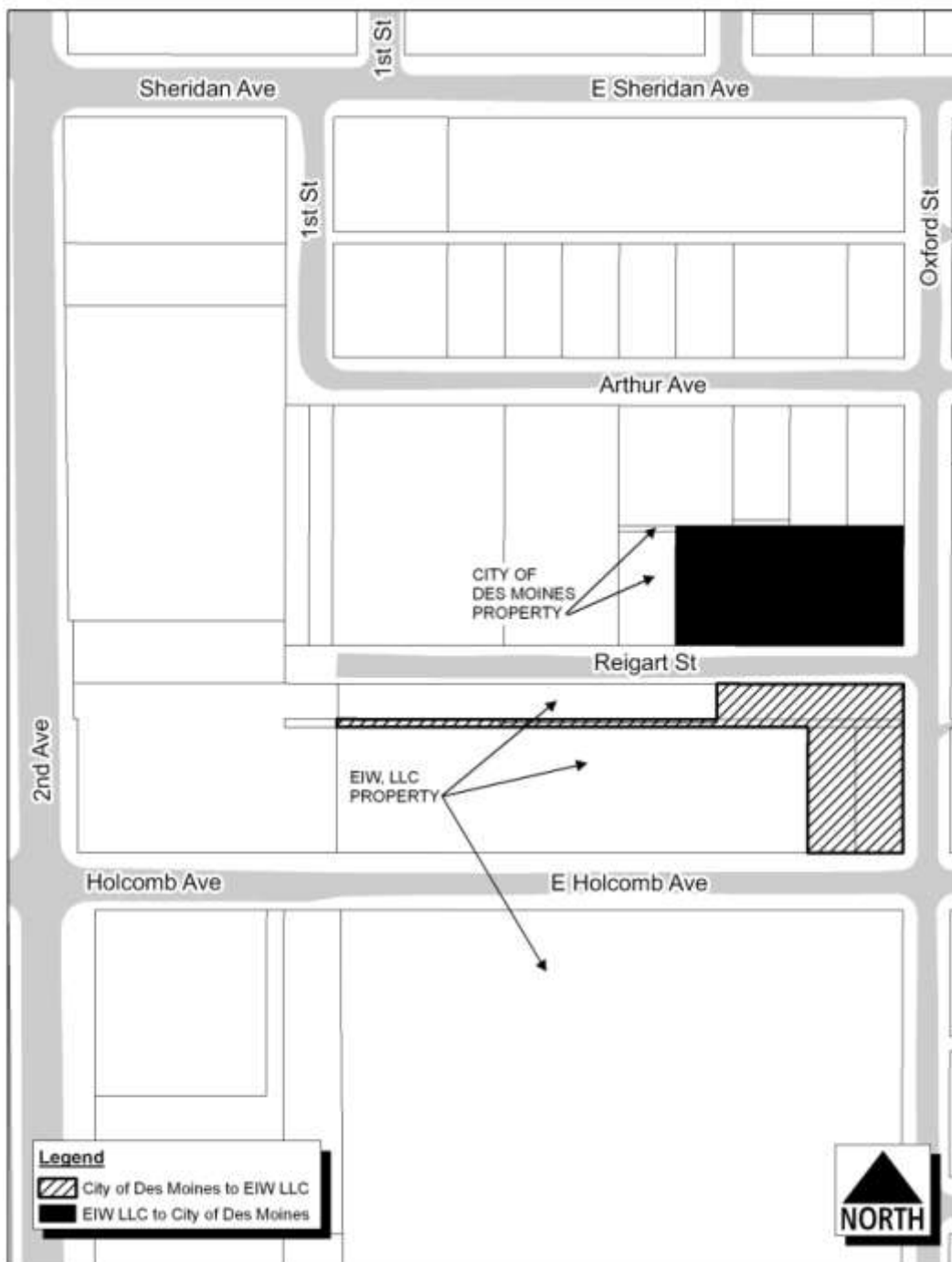
Funding Source: N/A

**ADDITIONAL INFORMATION:**

On March 11, 2013, by Roll Call No. 13-0395, the Des Moines City Council proposed conveyance of excess City-owned real property locally known as 146 East Holcomb Avenue, and a portion of the east/west segment of alley between Reigart Street and East Holcomb Avenue running west of Oxford Street, and Polk County District/Parcel Nos. 070/04438-001-000 and 070/05165-001-000, subject to reservation by the City upon the alley of a permanent easement for existing utilities. The City Council further resolved that the proposed conveyance pursuant to land exchange agreement be set down for hearing on March 25, 2013, at 5:00 p.m., in the Council Chamber.

The Land Exchange Agreement provides that both parties 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 has conducted an environmental review of the property to be acquired by the City and has concluded that there is no environmental impediment for the City’s use of the property.

The land exchange will allow both parties to assemble larger parcels of land to accommodate current uses and future development. The properties to be exchanged are comparable in value, as determined by the City's Real Estate Division.



**PREVIOUS COUNCIL ACTION(S):**

Date: March 11, 2013

Roll Call Number: [13-0395](#)

Action: [On](#) vacation of a portion of east/west segment of alley between Reigart Street and E. Holcomb Avenue, west of Oxford Street, and on Land Exchange Agreement with EIW, LLC for comparable parcels in the vicinity of 129 E. Holcomb Avenue, (3-25-13). Moved by Hensley to adopt. Motion Carried 7-0.

Date: January 14, 2013

Roll Call Number: [13-0025](#)

Action: [Regarding](#) request from Eagle Iron Works for 129 E. Holcomb to vacate the requested portions of the east/west segment of alley between Reigart Street and East Holcomb Avenue running west of Oxford Street, subject to provision of easements. Moved by Moore to receive and file and refer to the Engineering Department, Real Estate Division; refer to the City Manager to consider retaining the portion of the right-of-way adjoining the adjacent City property. Motion Carried 7-0.

#### **BOARD/COMMISSION ACTION(S):**

Board: City Plan and Zoning Commission

Date: January 3, 2013

Resolution Number: 11-2012-1.25

Action: Request from Eagle Iron Works (owner), 129 East Holcomb, represented by Gary Krantz, for vacation of the remaining portions of the east/west segment of alley between Reigart Street and East Holcomb Avenue running west of Oxford Street.

#### **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](mailto:cityclerk@dmgov.org).