 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: November 17, 2014
	Agenda Item No. 9 Roll Call No. <u>14-1760</u> Communication No. <u>14-537</u> Submitted by: Pamela S. Cooksey, P.E., Interim City Engineer

AGENDA HEADING:

Resolution establishing fair market value of property owned by Mid Iowa Refrigeration, Inc. at 2011 Hull Avenue for the Hull Avenue Improvements at Union Pacific Railroad (UPRR) Project.

SYNOPSIS:

Recommend approval of fair market value. This action establishes fair market value of property owned by Mid Iowa Refrigeration, Inc. (Gary Fatino, owner, 2900 Delaware Avenue, Des Moines, Iowa, 50317) for the Hull Avenue Improvements at UPRR Project. State law requires this action before the City can proceed with an offer to purchase the necessary property interests under the threat of eminent domain. This action will not require relocation assistance.

FISCAL IMPACT:

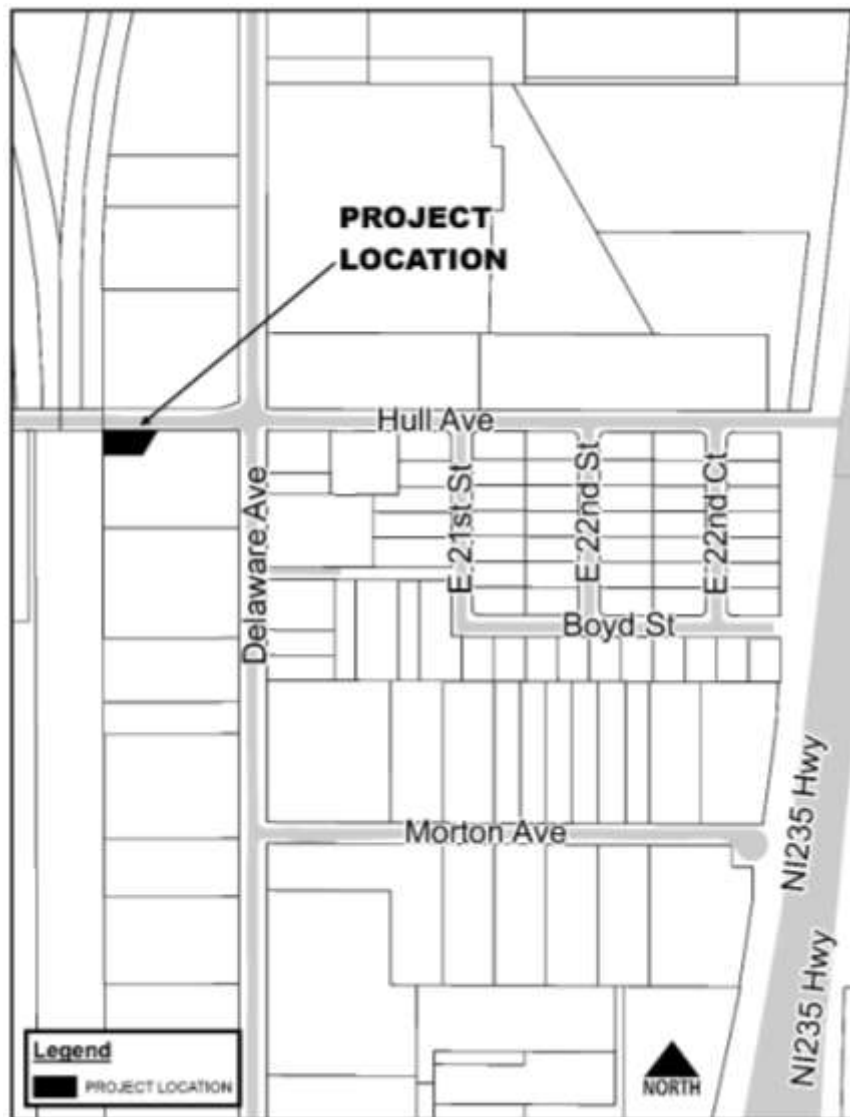
Amount: \$14,916 plus closing costs

Funding Source: 2014-15 Capital Improvement Program (CIP), Page Street Improvements - 44, ST253, UPRR Crossing Closures Mitigation

ADDITIONAL INFORMATION:

The closure of Hull Avenue at the UPRR crossing between Dixon Street and Delaware Avenue includes improvements along the roadway to better accommodate the movement of heavy trucks and enable vehicles to turn around at the crossing closure. The improvements include increasing intersection return radii at the northeast, southwest and southeast corners of the Hull Avenue and Dixon Street intersection, and widening Hull Avenue to the north between Dixon Street and the UPRR to the east. The project also includes constructing cul-de-sacs east and west of the UPRR to permanently close the crossing.

Mid Iowa Refrigeration, Inc. is the owner of the industrial property at 2011 Hull Avenue which has been appraised at \$14,916 for a partial fee acquisition and a temporary construction easement. The property is improved with a warehouse and office facility occupied by the owner. This acquisition will not require relocation assistance.

**PREVIOUS COUNCIL ACTION(S):**

Date: September 23, 2013

Roll Call Number: [13-1508](#)

Action: [Vacation](#) of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings, and approving agreement with the Union Pacific Railroad Company for the Union Pacific Crossing Closure Mitigation Project and authorization to proceed with acquisition of the necessary right-of-way and easements required for the project by gift, negotiation or eminent domain. ([Council Communication 13-486](#)) Moved by Mahaffey to adopt. Motion Carried 4-2-1. Nays: Meyer and Moore. Absent: Cownie.

Date: September 23, 2013

Roll Call Number: [13-1509](#)

Action: [Final](#) consideration of ordinance vacating City-owned right-of-way at Hull Avenue between Delaware Avenue and Dixon Street; at Scott Avenue between SE 20th Street and SE 22nd Street; and at SE 34th Street between Scott Avenue and E. Court Avenue. Moved by Mahaffey that this ordinance do now pass, [#15,219](#). Motion Carried 4-2-1. Nays: Meyer and Moore. Absent: Cownie.

Date: August 26, 2013

Roll Call Number: [13-1349](#)

Action: [On](#) vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings. ([Council Communication No. 13-444](#)) Moved by Mahaffey that this ordinance be considered and given second vote for passage, and that this ordinance be submitted for third consideration at the City Council meeting scheduled for September 23, 2013. Motion Carried 5-2. Nays: Meyer and Moore.

Date: August 12, 2013

Roll Call Number: [13-1284](#)

Action: [On](#) vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings. ([Council Communication No. 13-418](#)) Moved by Mahaffey that second consideration of this ordinance be continued to August 26, 2013. Motion Carried 7-0.

Date: June 10, 2013

Roll Call Number: [13-0924](#) and [13-0925](#)

Action: [On](#) vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street Crossings. ([Council Communication No. 13-300](#)) Moved by Coleman to adopt. Motion Carried 5-2. Nays: Meyer and Moore.

(A) [First](#) consideration of ordinance above. Moved by Coleman that this ordinance be considered and given first vote for passage, and that this ordinance be submitted for second consideration at the City Council meeting scheduled for August 12, 2013. Motion Carried 5-2. Nays: Meyer and Moore.

Date: April 8, 2013

Roll Call Number: [13-0578](#) and [13-0579](#)

Action: [Approving](#) preliminary terms of agreement with Union Pacific Railroad for the vacation of three segments of street right-of-way at the Hull Avenue, Scott Avenue and SE 34th Street crossings. ([Council Communication No. 13-165](#)) Moved by Mahaffey to adopt; refer to the City Manager to continue to work on the terms of the agreement with the residents, businesses and the UPRR. Motion Carried 5-2. Nays: Meyer and Moore.

(A) [Setting](#) date of hearing on vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings (6-10-13). Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: January 28, 2013

Roll Call Number: [13-0166](#)

Action: [Receive](#) and file Plan and Zoning Commission recommendation regarding request from Union Pacific Railroad to vacate the following four segments of street right-of-way where the railroad right-of-way intersects, subject to conditions: ([Council Communication No. 13-040](#)) Moved by Mahaffey to receive and file. Motion Carried 6-1. Nays: Meyer.

- (A) Hull Avenue between Delaware Avenue and Dixon Street
- (B) Scott Avenue between SE 20th Street and SE 22nd Street
- (C) SE 34th Street between Scott Avenue and E. Court Avenue
- (D) SE 36th Street at a point north of Scott Avenue

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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