 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: July 25, 2016
	Agenda Item No. 56 Roll Call No. <u>16-1250</u> Communication No. <u>16-409</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation and conveyance of an irregular segment of Center Street right-of-way adjoining 1201 Center Street to QuikTrip Corporation for \$18,295.

SYNOPSIS:

Recommend approval of the vacation and conveyance of an irregular portion of Center Street right-of-way adjoining 1201 Center Street to QuikTrip Corporation, Kelly P. Vaughan, Director of Real Estate, 5725 Foxridge Drive, Mission, KS 66202, for \$18,295, subject to the reservation of easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to the conditions listed in Roll Call No. 16-0162 adopted by the City Council of the City of Des Moines on January 25, 2016.

This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. The City’s conveyance of this property will allow the buyer to develop a 5,773-square-foot convenience store with a pump island canopy for 12 fueling locations on its adjoining property at 1201 Center Street. There is no current or anticipated public need or benefit for this property, and this conveyance will eliminate future maintenance and liability costs for the City and will return the property to the tax rolls.

FISCAL IMPACT:

Amount: \$9,147 (\$18,295 Revenue less \$9,148 for Right-of-Way)

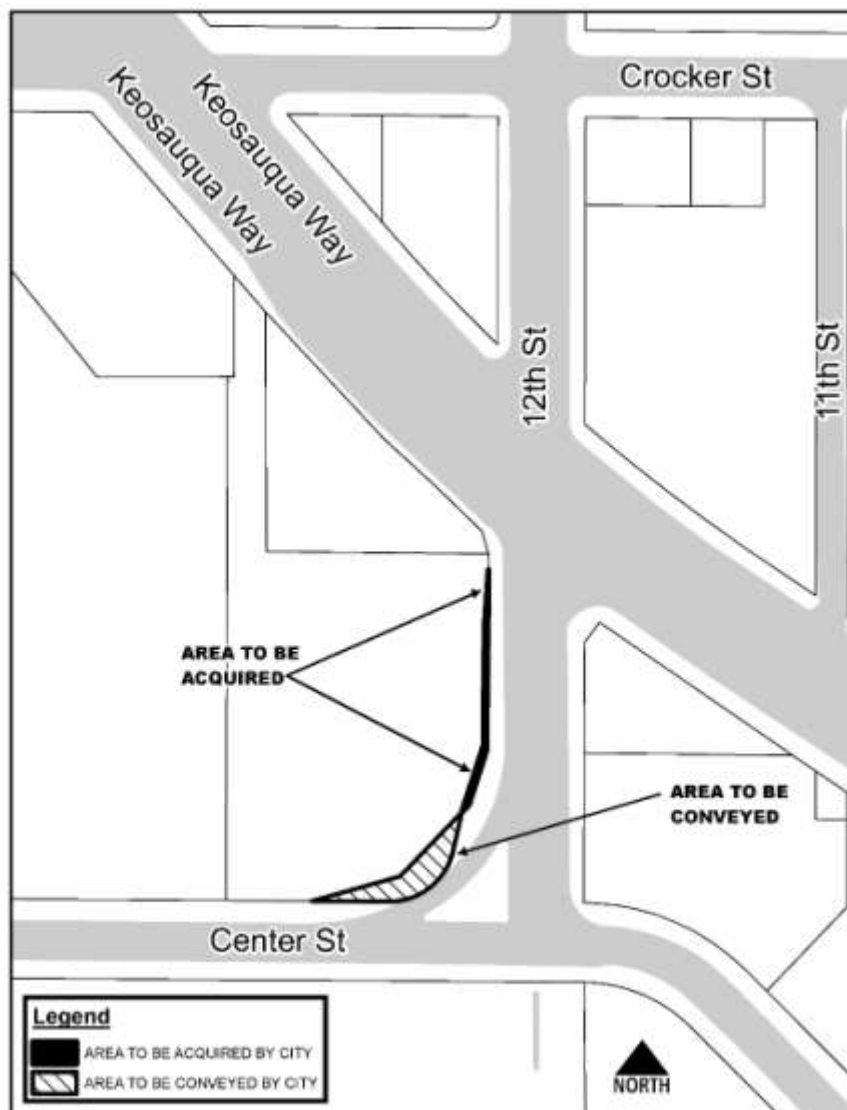
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- On December 21, 2015 by Roll Call No. 15-2120, the City Council of the City of Des Moines, Iowa voted to receive and file a communication from the City Plan and Zoning Commission denying a request from QuikTrip Corporation for vacation of an irregular portion of Center Street right-of-way adjoining 1201 Center Street because the proposed development for which the right-of-way was needed did not comply with the Downtown Overlay District Design Guidelines and the Gas Station/Convenience Store Site Plan Design Guidelines.
- QuikTrip Corporation appealed the denial and on January 25, 2016 by Roll Call No. 16-2016, the City Council of the City of Des Moines, Iowa voted to conditionally approve QuikTrip

Corporation's site plan and request to vacate the street right-of-way adjoining 1201 Center Street subject to conditions.

- QuikTrip Corporation has satisfied the conditions referenced above in Roll Call No. 16-2016 and has offered to the City of Des Moines the purchase price of \$18,295 for the vacation and purchase of the right-of-way adjoining 1201 Center Street. Additionally, QuikTrip Corporation shall issue a Special Warranty Deed conveying to the City a portion of the real property located 1201 Center Street and valued at \$9,148 for street right-of-way purposes. The balance due to the City of \$9,147 shall be paid in cash at closing by QuikTrip.
- The property to be conveyed consists of approximately 1,803 square feet and the purchase price of \$18,295 is equal to the fair market value of the property as determined by the City's Real Estate Division.
- There is no current or anticipated public need for this property and the City's conveyance of the vacated right-of-way will allow the buyer to construct a QuikTrip convenience store with fuel sales and related improvements, subject to conditions.



PREVIOUS COUNCIL ACTION(S):

Date: July 11, 2016

Roll Call Number: [16-1151](#) and [16-1152](#)

Action: [Site](#) plan for a QuikTrip Convenience Store at 1200 Keosauqua Way and 1201 Center Street. ([Council Communication No. 16-379](#)) Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.

- (A) [Setting](#) date of hearing on an irregular segment of Center Street right-of-way adjoining 1201 Center Street to QuikTrip Corporation, \$18,295, (7-25-16). Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: November 19, 2015

Resolution Number: 11-2015-1.24

Action: [Recommend](#) denial of a request from QuikTrip Corporation for vacation of an irregular segment of Center Street right-of-way adjoining the southeastern portion of 1201 Center Street.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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