 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	January 9, 2017
	<b>Agenda Item No.</b>	<b>54</b>
	<b>Roll Call No.</b>	<b><u>17-0068</u></b>
	<b>Communication No.</b>	<b><u>17-008</u></b>
	<b>Submitted by:</b>	<b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation of a fee interest and subsurface rights in portions of Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way all adjoining 550 Watson Powell Jr. Way and conveyance of a fee interest and an easement for subsurface building encroachment therein to HRC 6th Street, L.L.C. for \$34,308.

**SYNOPSIS:**

Recommend approval for vacation of a fee interest and subsurface rights in portions of Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way, all adjoining 550 Watson Powell Jr. Way, and conveyance of a fee interest and an easement for subsurface building encroachment therein to HRC 6th Street, L.L.C., Dan Cornelison, Senior Vice President, 6900 Westown Parkway, West Des Moines, Iowa, 50266, for \$34,308.

This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. The City’s conveyance of these property interests is required by the buyer for development of a parking lot and housing project. There is no current or future public need for the fee interest and subsurface rights within the Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way adjoining 550 Watson Powell Jr. Way and the City will not be inconvenienced by the vacation and sale of said property interests.

**FISCAL IMPACT:**

Amount: \$34,308 (Revenue)

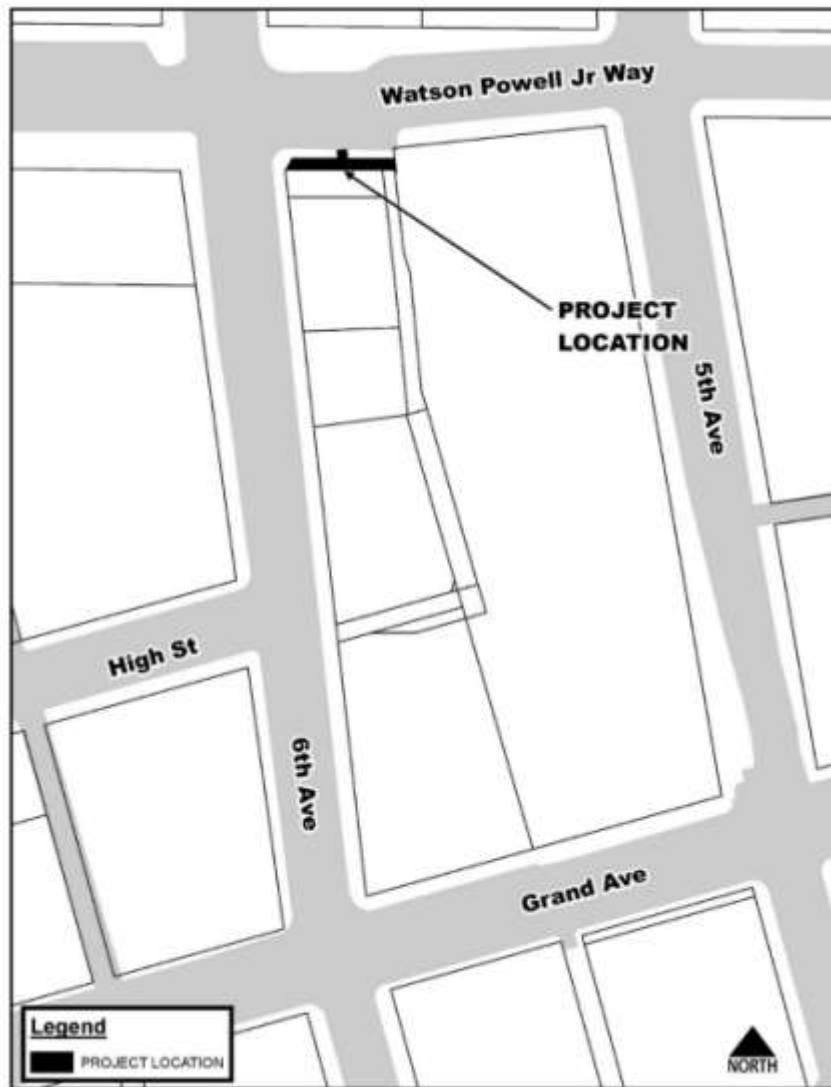
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090

**ADDITIONAL INFORMATION:**

- On December 19, 2016, by Roll Call No. 16-2149, the City Council of the City of Des Moines, Iowa, received and filed a recommendation from the City Plan and Zoning Commission recommending approval of a request for the vacation of an irregular segment of approximately the south 10 feet of Watson Powell Jr. Way right-of-way north of and adjoining 550 Watson Powell Jr. Way, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated and subject to relocation of the existing fire hydrant and branch service line or provision of an easement to the satisfaction of the Des

Moines Water Works.

- HRC 6th Street, L.L.C. has offered to the City of Des Moines, Iowa the purchase price of \$34,308 for the purchase of a fee interest and subsurface rights within portions of the Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way for incorporation into their adjoining property at 550 Watson Powell Jr. Way for development of a parking lot and a housing project, subject to the conditions set forth by the Plan and Zoning Commission.
- The fee interest to be conveyed consists of approximately 752 square feet and the subsurface area consists of approximately 52 square feet. The purchase price of \$34,308 is equal to the fair market value of the property interests as determined by an independent appraisal. There is no current or anticipated public need for this property and the City will not be inconvenienced by the vacation and sale of said property interests.



**PREVIOUS COUNCIL ACTION(S):**

Date: December 19, 2016

Roll Call Number: [16-2149](#)

Action: [Recommendation](#) from the Plan and Zoning Commission regarding request from HRC 6th Street, LLC for vacation of a portion of Watson Powell Jr. Parkway adjoining 550 Watson Powell Jr. Parkway to allow development of 4-story, 50-unit multiple-family dwelling. Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

Date: December 19, 2016

Roll Call Number: [16-2148](#)

Action: [On](#) vacation of a fee interest and subsurface rights in portions of Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way all adjoining 550 Watson Powell Jr. Way and conveyance of a fee interest and an easement for subsurface building encroachment therein to HRC 6th Street LLC, for \$34,308, (1-9-17). Moved by Gatto to adopt. Motion Carried 7-0.

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

Board: City Plan and Zoning Commission

Date: December 1, 2016

Resolution Number: 11-2016-1.21 & 10-2017-7.55

Action: Request from HRC 6th Street, LLC (purchaser) represented by Steve Niebuhr (officer) for the following actions related to property located at 550 Watson Powell Jr. Parkway. The subject property is owned by YMCA of Greater Des Moines and City of Des Moines.

A) Vacation of an irregular segment of approximately the south 10 feet of Watson Powell Jr. Parkway ROW north of and adjoining the subject property. (11-2016-1.21)

B) Review and approval of a Site Plan "Carbon 550" under design guidelines for multiple family dwellings, to allow development of a 4-story, 50-unit multiple family dwelling with underground parking. (10-2017-7.55).

#### **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 Administration Building, 400 E. Court Avenue Ste.116. 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).