

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 4, 2017
	Agenda Item No.	52
	Roll Call No.	<u>17-2103</u>
	Communication No.	<u>17-830</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation and lease of a portion of Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery to Woodland Heights Organization for \$1,000.

SYNOPSIS:

Recommend approval of the vacation and lease of a portion of Martin Luther King, Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery to Woodland Heights Organization, Douglas McBride, President, 716 26th Street, Des Moines, Iowa 50312, for \$1,000, subject to the reservation of an easement for the continued use and maintenance of any utilities now in place.

This action is required by Iowa law prior to making a final determination on the proposed lease by resolution. The City’s lease of this property will allow Woodland Heights Organization to erect a neighborhood monument sign at an entry point to the neighborhood.

FISCAL IMPACT:

Amount: \$1,000 (Revenue)

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

ADDITIONAL INFORMATION:

- On November 20, 2017, by Roll Call No. 17-1953, City Council of the City of Des Moines, Iowa voted to receive and file the recommendation from the City Plan and Zoning Commission that a segment of right-of-way at 860 Martin Luther King, Jr. Parkway adjoining Woodland Cemetery be vacated for the purposes of a neighborhood monument sign, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated.
- Woodland Heights Organization has requested that the City vacate a small portion of Martin Luther King, Jr. Parkway right of way and enter into a lease agreement that would allow the organization to place a neighborhood monument sign upon the vacated property.

- The City's Real Estate Division has negotiated a lease agreement with Woodland Heights Organization, which will include, among other terms, a 20-year lease term commencing December 4, 2017, with an annual lease payment of \$50, for a total payment of \$1,000 over the term of the lease.
- The property to be vacated and leased consists of approximately 500 square feet, and the annual payment of \$50 is equal to the annual fair market lease value of the property as determined by the City's Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: November 20, 2017

Roll Call Number: [17-1953](#)

Action: [Setting](#) date of hearing for vacation and lease of a portion of Martin Luther King Jr. Parkway right-of-way located east of and adjoining Woodland Cemetery to Woodland Heights Organization, \$1,000, (12-4-17). Moved by Coleman to adopt. Motion Carried 7-0

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: November 2, 2017

Resolution Number: 11-2017-1.14

Action: Request from Woodland Heights Organization (lessee) represented by Douglas McBride (officer) for vacation of a segment of Right-Of-Way at 860 Martin Luther King, Jr. Parkway near Woodland Cemetery for purposes of a neighborhood monument sign. John “Jack” Hilmes moved staff recommendation for approval of the requested vacation subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated. THE VOTE: 12-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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