 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	June 25, 2018
	Agenda Item No.	52
	Roll Call No.	<u>18-1107</u>
	Communication No.	<u>18-334</u>
	Submitted by:	Steven L. Naber, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of a portion of 14th Street right-of-way located east of and adjoining 1400 Walnut Street and conveyance to 14 Walnut LLC for \$1,000.

SYNOPSIS:

Recommend approval of the vacation of a portion of 14th Street right-of-way located east of and adjoining 1400 Walnut Street and conveyance to 14 Walnut LLC, Brian Roers, Manager, 1964 West Wayzata Boulevard, Suite 200, Long Lake, Minnesota, 55356, for \$1,000, subject to the following conditions:

- Reservation of all necessary easements for all existing utilities in place shall be provided until such time they are abandoned or are relocated.
- Reservation of a public access easement across the vacated right-of-way for use by vehicular and pedestrian traffic.
- Provision of any curbing and/or barriers determined necessary by the City Engineer.
- Maintenance of the brick surface within the vacated right-of-way by 14 Walnut LLC.

14 Walnut LLC needs the City property in order to provide non-exclusive private access and temporary loading for the adjoining mixed-use building located at 1400 Walnut Street.

This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. Except for the conditions listed above, 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 return the property to the tax rolls.

FISCAL IMPACT:

Amount: \$1,000 (Revenue)

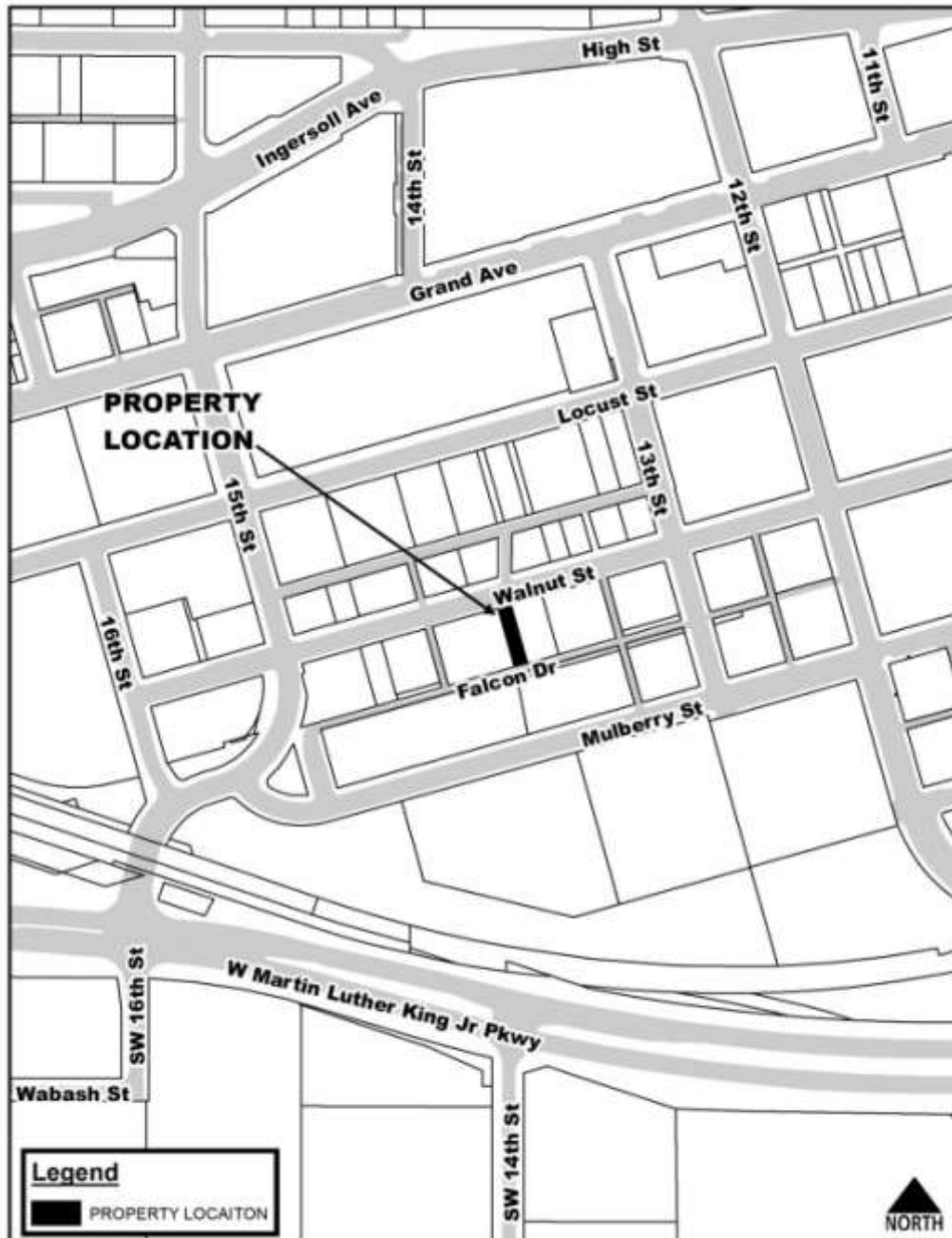
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- On May 21, 2018, by Roll Call No. 18-0868, the City Council of the City of Des Moines, Iowa, received and filed a recommendation from the City Plan and Zoning Commission to approve a request from 14 Walnut LLC for vacation of 14th Street from Walnut Street to Falcon Drive to accommodate private access and loading for the adjoining mixed-use building at 1400 Walnut

Street, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated, a public access easement, provision of curbing or barriers as determined necessary by the City Engineer, and subject to the requirement that the brick surface within the vacated right-of-way be maintained.

- 14 Walnut LLC, has offered to the City the purchase price of \$1,000 for the vacation and purchase of the portion of 14th Street right-of-way located east of and adjoining 1400 Walnut Street. The property to be conveyed consists of approximately 3,971 square feet, and the purchase price of \$1,000 is equal to the restricted-use fair market value of the property as determined by the City's Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: June 11, 2018

Roll Call Number: [18-0983](#)

Action: [On](#) vacation of a portion of 14th Street right-of-way located east of and adjoining 1400 Walnut Street, and conveyance to 14 Walnut, LLC for \$1,000, (6-25-18). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: May 3, 2018

Resolution Number: 11-2018-1.10

Action: Recommend approval of a request from 14 Walnut, LLC for vacation of 14th street from Walnut Street to Falcon Drive, adjoining 1400 Walnut street, subject to conditions.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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