


COUNCIL COMMUNICATION

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|  | Number: | 20-523 | Meeting: | December 7, 2020 |
| | Agenda Item: | 37 | Roll Call: | 20-2053 |
| | Submitted by: | Steven L. Naber, P.E., City Engineer; Benjamin R. Page, Park and Recreation Director | | |

AGENDA HEADING:

Hold hearing for approval of documents for vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive and approval of a land exchange agreement with David J. Steffes and Wendy S. Steffes.

SYNOPSIS:

Recommend approval of vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive and approval of a land exchange agreement with David J. Steffes and Wendy S. Steffes, owners of 514 Foster Drive, Des Moines, Iowa, subject to the reservation of an easement upon the City's parcel for the continued use and maintenance of any existing utilities now in place, and all terms and conditions of the land exchange agreement.

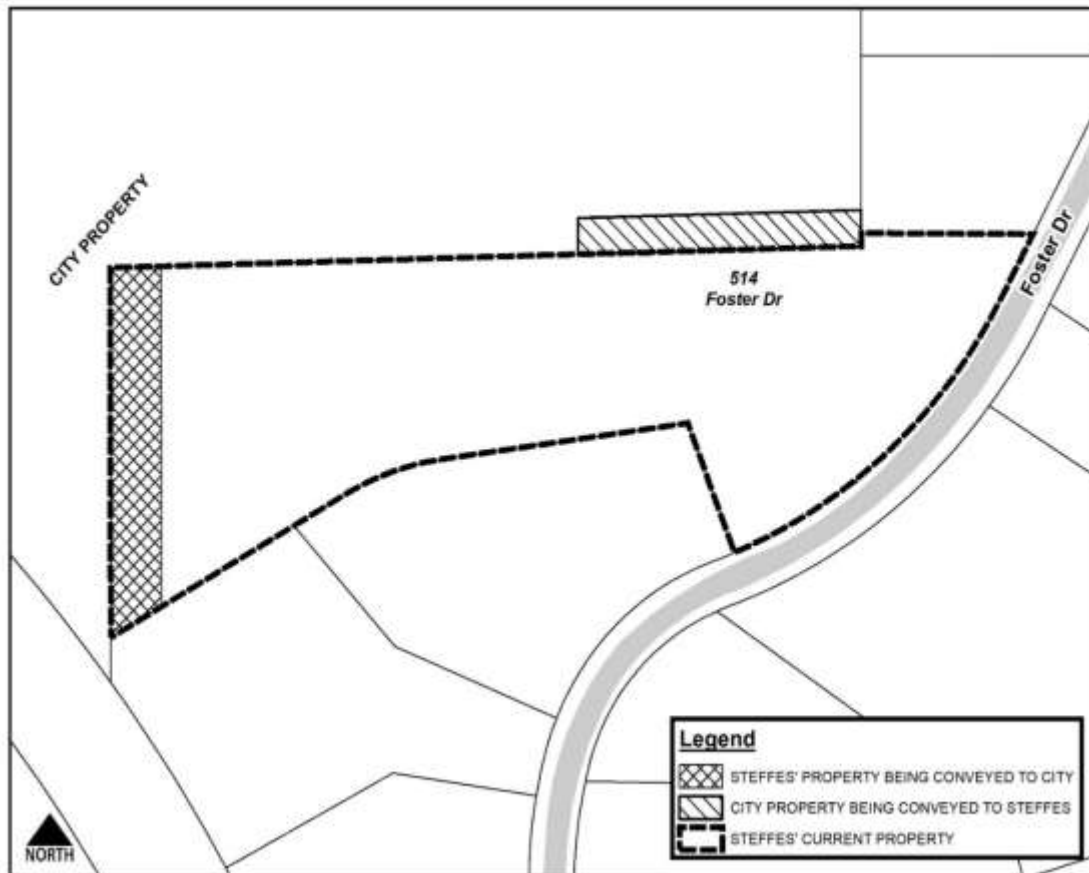
This land exchange will bring an existing driveway encroachment onto Ashworth Park property into legal compliance and will provide the City with additional land for expansion of Ashworth Park to incorporate existing nature trails that are now located on and crossing through the far west section of the Steffes' property. This action is required by Iowa law prior to making a final determination on the land exchange by resolution. The portion of Ashworth Park to be vacated and conveyed will have no impact on the current or future use of the park.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The Steffes' property at 514 Foster Drive shares its north and west boundaries with Ashworth Park. During the City's recent Foster Drive Landslide Repair project, it was discovered that a portion of the Steffes' existing driveway encroaches onto a small area of Ashworth Park. It was also discovered that some of the nature trails within Ashworth Park have expanded and are now located within and crossing through the far west section of the Steffes' property.
- In an effort to resolve the driveway and nature trail encroachments, the Steffes' have agreed to convey a parcel of land to the City consisting of 14,943 square feet located along their west property boundary, in exchange for the City's conveyance of a parcel of land consisting of 7,504 square feet located along the Steffes' north property boundary.

- The parcels of land being exchanged are equal in value, as determined by the City's Real Estate Division and, as a result, there are no land acquisition costs for either party.
- The Park and Recreation Department and Real Estate Division of the Engineering Department recommend approval of this land exchange to legalize the existing encroachments by both parties.

**PREVIOUS COUNCIL ACTION(S):**

Date: November 23, 2020

Roll Call Number: [20-1869](#)

Action: [On](#) vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive and approval of land exchange agreement with David J. Steffes and Wendy S. Steffes, (12- 7-20). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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