


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	22-460	Meeting:	October 3, 2022
	Agenda Item:	54	Roll Call:	22-1555
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Hold hearing for approval of documents for vacation of street and alley right-of-way located between Southeast 14th Street and Southeast 18th Street, south of East Court Avenue and north of the Iowa Interstate Railroad, and conveyance to Roll-Offs of Des Moines, Inc. for \$161,800.

SYNOPSIS:

Roll-Offs of Des Moines, Inc. (Anthony J. Holt, President, 20 East 18th Street, Des Moines, IA, 50316), offers to purchase the vacated street and alley right-of-way located between Southeast 14th Street and Southeast 18th Street, and between and including a portion of East Vine Street on the north and the Iowa Interstate Railway on the south, all in Des Moines, Iowa. The acquisition of the vacated right-of-way will facilitate the company's growth in the southeast Des Moines area. The purchase price of \$161,800 reflects the fair market value of the property as determined by the City's Real Estate Division.

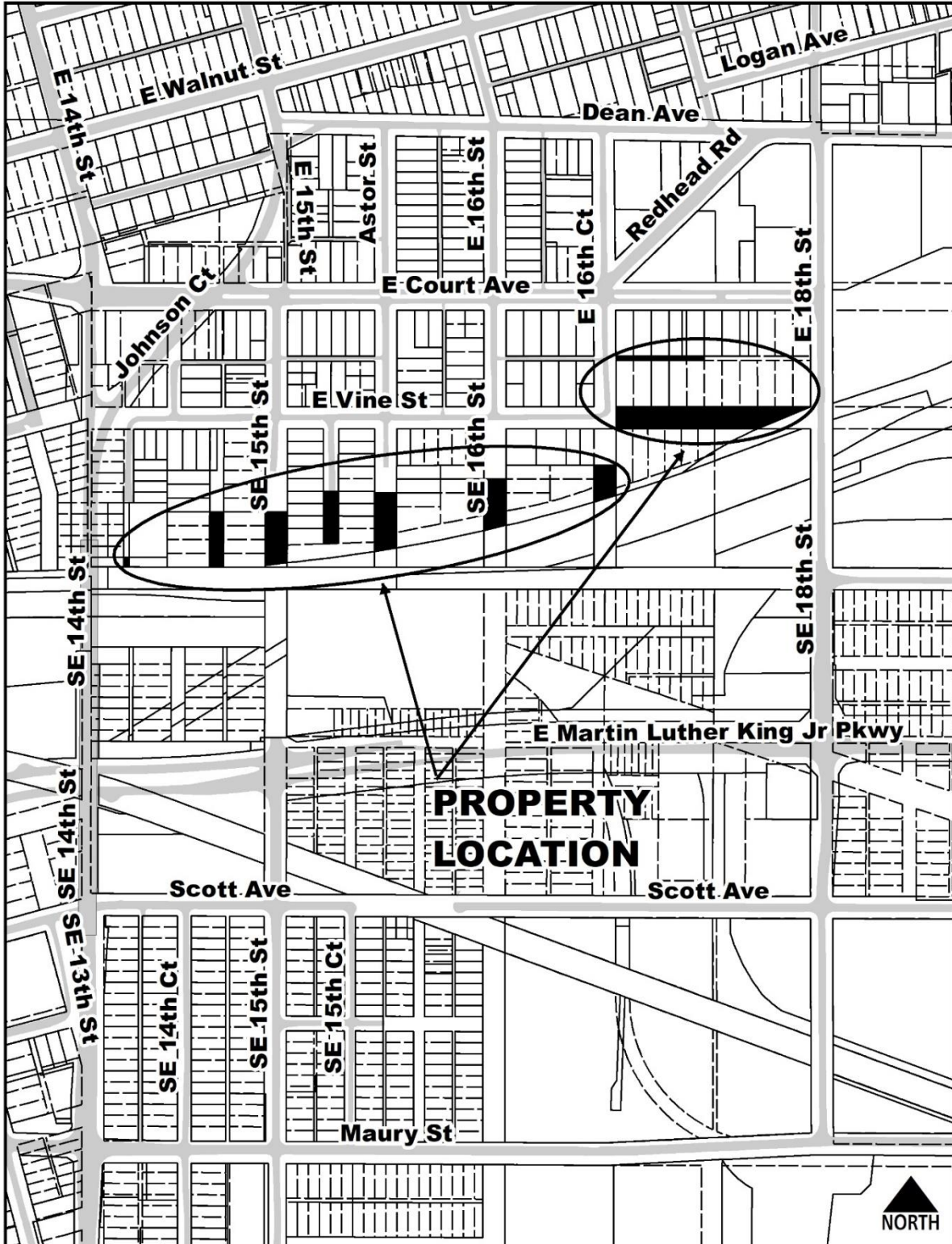
FISCAL IMPACT:

Amount: \$161,800 (Revenue)

Funding Source: Sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- Conditions of the sale include:
 1. Closing on the Property is subject to completion of the following conditions precedent:
 - i) City Council approval of a site plan for the construction of any proposed improvements on the Property.
 - ii) Any future development that includes the property shall comply with all City of Des Moines zoning and site plan requirements.
 - iii) Any future development that includes the property shall comply with the City of Des Moines Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X of the City Code.
 2. Buyer shall have 180 days after acceptance of this Offer by City to satisfy all conditions precedent set forth above and close on the acquisition of the Property.



PREVIOUS COUNCIL ACTION(S):

Date: September 12, 2022

Roll Call Number: [22-1407](#)

Action: On vacation of street and alley right-of-way located between SE 14th Street and SE 18th Street, south of E. Court Avenue and north of the Iowa Interstate Railroad, and conveyance to Roll-Offs of Des Moines, Inc., \$161,800, (10-3-22). Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: March 7, 2019

Resolution Number: 11-2019-1.03

Action: Recommend approval of the requested vacation of Right-of-Way, subject to the following conditions:

1. A sufficient portion of requested East Vine Street Right-of-Way (part H) shall be excluded from the vacation given the existing railroad activity, such portion will be approved by the City Engineer.
2. Conveyance of any of the requested Right-of-Way shall only occur in accordance with a redevelopment plan that is approved by City Council.
3. Easements for any existing utilities shall be provided until such time that they are abandoned or relocated at the applicant's expense.
4. Any development that incorporates the subject Right-of-Way shall comply with all Zoning and Site Plan requirements.
5. Any development that incorporates the subject Right-of-Way shall comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42 Article X of the City Code.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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