



Agenda Item:

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## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION

Agenda Date: 04/25/05  
221

Communication No.: 05-

Agenda Item Type: Ordinance

Roll Call No.:

Submitted by: Don Tripp, Park & Recreation Director  
Jeb E. Brewer, P.E., City Engineer

### SUBJECT—

Vacation and conveyance of the north/south alley between SE 15<sup>th</sup> Street and SE 15<sup>th</sup> Court from Maury Street to Shaw Street.

### SYNOPSIS—

This action would adopt an ordinance to vacate public right-of-way and approve the conveyance of the north/south alley between SE 15<sup>th</sup> Street and SE 15<sup>th</sup> Court from Maury Street to Shaw Street.

### FISCAL IMPACT—

This sale is expected to yield \$4,626.00. The proceeds from the sale of this property would be deposited into the Property Management Endowment Fund – Account: 480010; Fund: SP767; Organization: PKS161625; Project/Grant: PM-003.

### RECOMMENDATION—

Approval

## **BACKGROUND—**

At its October 21, 2004 meeting, the Planning and Zoning Commission recommended the vacation and conveyance of the north/south alley between SE 15<sup>th</sup> Street and SE 15<sup>th</sup> Court from Maury Street to Shaw Street, subject to the following conditions:

1. A provision of easements for all existing utilities.
2. The adjoining auto repair and salvage use cannot expand onto the alley right-of-way, unless the City's Zoning Board of Adjustment grants a conditional use permit.

The Des Moines City Council adopted the Plan and Zoning Commission recommendation on November 8, 2004, by Roll Call No. 04-2386.

City Property Information: The alley is located in a M-1 zoning district and runs north/south between Shaw Street and Maury Street, between SE 15<sup>th</sup> Street and SE 15<sup>th</sup> Court. It measures 10' x 400', or 4,000 square feet. The City's Real Estate Division estimated the fair market value (FMV) at \$1.10 per square foot for a total of \$4,400.00. The property will be sold subject to any and all existing easements and/or restrictions. It has been determined through the City staff property inventory review (PIR) process that the property is no longer needed for any existing or known future public purpose.

Parties Contacted: All adjoining property owners were contacted as follows:

**South Decorating, Inc., 1500 Maury Street** – Not interested in acquiring the portion of the alley adjoining their property.

**Charles Koenigs, 701 SE 15<sup>th</sup> Street and 710 SE 15<sup>th</sup> Court** – Interested in acquiring the portion of the alley adjoining his property and submitted an Offer to Purchase. Mr. Koenigs owns property at the north end of the alley on both sides. The portion of alley adjoining his property measures 1,900 square feet. Mr. Koenigs offered the full FMV of \$1.10/square foot, or \$2,090.00, plus recording and publishing costs of \$113. The purchase will allow him to assemble property on both sides of the alley into one larger parcel for the construction of a future office/warehouse building.

**Dale Jones, 1510 Maury Street and 720 SE 15<sup>th</sup> Court** – Interested in acquiring the portion of the alley adjoining his property and submitted an Offer to Purchase. Mr. Jones made the original request to vacate and convey the alley, and he owns property along the west side of the alley at the south end. He also made a request to purchase the portion of alley declined by South Decorating, Inc. The portion of alley adjoining his property and South Decorating's property measures 2,100 square feet. Mr. Jones offered the full FMV of \$1.10/square foot or \$2,310.00 plus publishing and recording costs of \$113. The purchase will allow Mr. Jones to meet property setback requirements for a warehouse building he is planning to construct on his property in conjunction with his auto salvage and repair business located on the east side of SE 15<sup>th</sup> Court at 1520 Maury Street.

Recommended Buyers:

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Charles Koenigs for \$2,090.00 plus publication and recording fees of \$113.  
Dale H. Jones for \$2,310.00 plus publication and recording fees of \$113.