



Agenda Item:

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## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION

Agenda Date: 5/23/05  
300

Communication No.: 05-

Agenda Item Type: Set Hearing Roll Call  
No.:

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

### SUBJECT—

Set hearing for the vacation and conveyance of Lyon Street from Hubbell Avenue to its current east terminus to Leachman Lumber Company.

### SYNOPSIS—

This action would set date of public hearing to adopt an ordinance to vacate public right-of-way and approve the conveyance of Lyon Street from Hubbell Avenue to its current east terminus to Leachman Lumber Company.

### FISCAL IMPACT—

The sale is expected to yield \$1,113.00. The proceeds from the sale of this property will be deposited into the Property Management Endowment Fund as follows: Account: 480060, Fund: SP767; Organization: PKS161625; Project: PM-003.

### RECOMMENDATION—

Approval

### BACKGROUND—

On February 2, 2005, by Roll Call No. 05-294, the City Council adopted a recommendation from City Plan and Zoning Commission that Lyon Street from Hubbell Avenue to its current east terminus be vacated and sold to Leachman Lumber Company. It has been determined that the property is no longer needed for any current or anticipated future public purpose. The sale is subject to the following conditions:

- 1) The property will be subject to any and all existing easements and/or restrictions.
- 2) Prior to conveyance of Lyon Street, Leachman Lumber Company must also demonstrate that it has entered into a purchase agreement for the acquisition of 1921 Lyon Street, which has now been completed and was transferred to Leachman Lumber Co. on February 2, 2005 and filed for record in the Polk County, Iowa Recorder's Office in Book 10923, Page 423.

Leachman Lumber Company is the abutting property owner and intends to use this property to facilitate the renovation and expansion of Leachman Lumber (1921 Hubbell Ave./ James Kahler, President) retail and wholesale operations at its current location. Specifically, Leachman Lumber will be able to use the street right-of-way property to improve and expand parking locations and options as they expand their business.

Leachman Lumber has requested a reduction in alley sales price from an estimated fair market value of \$10,560.00 to \$1,000 based on a provision of the Offer to Purchase requiring certain improvements to be commenced by November 1, 2005.

Leachman Lumber has agreed to pay an additional \$21,120 if they fail to complete the proposed paving improvements to the Lyon Street right-of-way.