



**Council
Communication**
Office of the City Manager

Date

May 8, 2006

Agenda Item No. 41
Roll Call No. 06-
Communication No. 06-248
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Hearing for the vacation and conveyance of the east/west alley between Walnut Street and Court Avenue, from the north/south alley to 4th Street, to Kirkwood Commons, LLC for \$32,925.

SYNOPSIS:

Approval for the vacation and conveyance of alley to Kirkwood Commons, LLC for \$32,925, payable in 60 equal monthly installments, and drawing interest at the rate of three percent (3%) per annum.

FISCAL IMPACT:

Amount: \$32,925, Plus Interest (Revenue)

Funding Source: 2006-07 Operating Budget, Page 310, Property Maintenance, SP767

ADDITIONAL INFORMATION:

On July 18, 2005, by Roll Call No. 05-1660, the City Council adopted a recommendation from the City Plan and Zoning Commission that the east/west alley between Walnut Street and Court Avenue, from the north/south alley east to 4th Street, be vacated and sold, subject to the condition that an easement be maintained for existing utilities as necessary.

The buyer will incorporate this property to existing owned property to join a parking garage and residential project with a covered walkway. The walkway will be constructed in a manner so it can be easily removed if the City needs access to the existing sewer under the alley.

Kirkwood Commons, LLC, John Chudy, Managing Member, 732 North 129th Street, Omaha, Nebraska, 68154-6109, has submitted an offer for \$32,925 payable in 60 equal monthly installments plus interest at the rate of 3% per annum, which is equal to the City's estimated Fair Market Value. The property to be conveyed consists of approximately 2,194 square feet.

PREVIOUS COUNCIL ACTION(S):

Date: July 18, 2005

Roll Call Number: 05-1660

Action: Regarding request from Kirkwood Commons, LLC for vacation and conveyance of east/west segment of alley between Walnut Street and Court Avenue, extending west from 4th Street, subject to conditions. Moved by Hensley to adopt and refer to the City Manager to implement. Motion Carried 7-0.

Date: April 24, 2006

Roll Call Number: 06-759

Action: On vacation and conveyance of east/west alley between Walnut Street and Court Avenue from the north/south alley, east to 4th Street to Kirkwood Commons, LLC, \$32,925, (5-8-06). Moved by Hensley to adopt. Motion Carried 7-0

BOARD/COMMISSION ACTION(S): NONE

Date:

Roll Call Number:

Action:

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE