



**Council
Communication**
Office of the City Manager

Date October 23, 2006

Agenda Item No. 48
Roll Call No. 06-
Communication No. 06-672
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Hearing on the vacation and conveyance of the East 10 feet of SE 10th Street and the West 10 feet of SE 11th Street adjoining 1005 Maury Street to the Southern Rose, L.P. for \$5,600.

SYNOPSIS:

Approval for the vacation and sale of such property to The Southern Rose, L.P., an Iowa limited partnership, Richard Helgeson, General Partner, 7519 East Torrey Point Circle, Mesa, Arizona, 85207-1185, for \$5,600. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. There is no current or anticipated public need for this property.

FISCAL IMPACT:

Amount: \$5,600

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

ADDITIONAL INFORMATION:

On August 7, 2006, by Roll Call No. 06-1597, the City Council approved the sale of 1005 Maury Street to The Southern Rose, L.P., subject to City Plan and Zoning Commission approval of a development plan, including a future right-of-way vacation and conveyance approval for a ten-foot strip of existing SE 10th and SE 11th Street right-of-way adjoining the property, and issuance of a building permit.

On September 11, 2006, by Roll Call No. 06-1768, the City Council adopted a recommendation from the City Plan and Zoning Commission that the East 10 feet of SE 10th Street and the West 10 feet of SE 11th Street adjoining 1005 Maury Street be vacated and sold, subject to reservation of an easement for all existing utilities now in place, with the right-of-entry for servicing same.

The property to be conveyed consists of approximately 5,600 square feet. The Southern Rose, L.P. has submitted an offer to purchase for \$5,600, which is equal to the estimated Fair Market Value. The Buyer will add this property to the property that is being purchased at 1005 Maury Street to meet the minimum two acres required for a "PUD" Planned Development District.

PREVIOUS COUNCIL ACTION(S):

Date: October 9, 2006

Roll Call Number: 06-1972

Action: [On](#) vacation and conveyance of east 10 feet of SE 10th Street, and the west 10 feet of SE 11th Street adjoining 1005 Maury Street to Southern Rose, LP, \$5,600, (10-23-06). Moved by Vlassis to adopt. Motion Carried 6-0.

BOARD/COMMISSION ACTION(S):

Date: August 17, 2006

Roll Call Number: City Plan and Zoning Commission

Action: Approved request for vacation and conveyance of the East 10 feet of SE 10th Street and the West 10 feet of SE 11th Street adjoining 1005 Maury Street, subject to reservation of an easement for all existing utilities.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE