



**Council  
Communication**  
Office of the City Manager

<b>Date</b>	December 18, 2006
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<b>Agenda Item No.</b>	<b>65</b>
<b>Roll Call No.</b>	<b><u>06-</u></b>
<b>Communication No.</b>	<b><u>06-782</u></b>
<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold Hearing on the vacation and conveyance of the dead-end North/South alley extending south from Scott Street between SE 6<sup>th</sup> and SE 7<sup>th</sup> Streets to Oscar and Angelica Padilla for \$3,030 and to Sopopa Martinez for \$50.

**SYNOPSIS:**

Recommend approval for the vacation and conveyance of such property to Oscar and Angelica Padilla, 3930 SE 112<sup>th</sup> Street, Runnells, Iowa, 50237, for \$3,030 and to Sopopa Martinez, 619 SE 6<sup>th</sup> Street, Des Moines, Iowa, 50309-5205 for \$50. 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: \$3,080 (Revenue)

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

**ADDITIONAL INFORMATION:**

On September 11, 2006, by Roll Call No. 06-1760, the City Council adopted a recommendation from the City Plan and Zoning Commission that the dead-end North/South alley extending south from Scott Street between SE 6<sup>th</sup> and SE 7<sup>th</sup> Streets be vacated and conveyed, 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 4,032 square feet, with the northern portion adjoining commercial zoned property and the southern portion adjoining residential zoned property. Oscar and Angelica Padilla have submitted an offer of \$3,030 for the northern commercial zoned portion of the above referenced right-of-way, consisting of approximately 3,024 square feet, which is equal to the estimated Fair Market Value. They will assemble the alley to commercial property they own on both sides, which is currently being used for their construction contracting business.

Sopopa Martinez has submitted an offer of \$50 for approximately 1,008 square feet of the southern residential zoned portion of the alley that adjoins her residential property, which is equal to the estimated Fair Market Value.

**PREVIOUS COUNCIL ACTION(S):**

Date: December 4, 2006

Roll Call Number: 06-2372

Action: [On](#) vacation and conveyance of dead-end north/south alley extending south from Scott Street between SE 6<sup>th</sup> and SE 7<sup>th</sup> Streets to Oscar and Angelica Padilla, \$3,030 and Sopopa Martinez, \$50, (12-18-06). Moved by Vlassis to adopt. Motion Carried 6-0.

Date: September 11, 2006

Roll Call Number: 06-1760

Action: [Regarding](#) request from Oscar Padilla for vacation and conveyance of a segment of adjoining dead-end north/south alley extending south from Scott Street between SE 6<sup>th</sup> and SE 7<sup>th</sup> Streets, subject to conditions. Moved by Vlassis to receive and file and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. 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 dead-end North/South alley extending south from Scott Street between SE 6<sup>th</sup> and SE 7<sup>th</sup> Streets, subject to reservation of an easement for all existing utilities now in place, with right-of-entry for servicing same.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**