



# Council Communication

Office of the City Manager

Date

March 12, 2007

Agenda Item No. 43  
Roll Call No. 07-  
Communication No. 07-129  
Submitted by: **Jeb E. Brewer, P.E.,**  
City Engineer

## AGENDA HEADING:

Hold Hearing on the conveyance of the previously vacated West 30 feet of 59<sup>th</sup> Street and the North 30 feet of Ingersoll Avenue between Walnut Hill Avenue and 56<sup>th</sup> Street to adjoining property owners for \$2,250.

## SYNOPSIS:

Recommend approval for the conveyance of such property to adjoining property owners. 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: \$2,250 (Revenue)

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

## ADDITIONAL INFORMATION:

On April 21, 1986, by Roll Call 86-1744, the City Council approved Ordinance No. 10,788 vacating the West 30 feet of 59<sup>th</sup> Street right-of-way and the North 30 feet of Ingersoll Avenue right-of-way between Walnut Hill Avenue and 56<sup>th</sup> Street; and

The purchase of this property will allow the adjoining property owners to assemble the vacated rights-of-way with additional owned residential property for back yard expansion. The adjoining property owners have submitted the following offers to purchase their portion of right-of-way:

- 1) \$100 – Jack T. and Eileen K. Britton, 523 Waterbury Circle, Des Moines, IA 50312
- 2) \$200 – Stephen R. and Dawn I. Eckley, 529 Waterbury Circle, Des Moines, IA 50312
- 3) \$100 – Jennifer J. Townsend, 541 Waterbury Circle, Des Moines, IA 50312
- 4) \$100 – Bradford J. and Sally S. Barrett, 545 Waterbury Circle, Des Moines, IA 50312
- 5) \$100 – Joseph D. and Janet H. Keefer, 549 Waterbury Circle, Des Moines, IA 50312
- 6) \$50 – John F. and Jane M. Hallman, 5916 Waterbury Circle, Des Moines, IA 50312
- 7) \$50 – Michael W. and Donna Lee Otis, 5908 Waterbury Circle, Des Moines, IA 50312
- 8) \$50 – Jeffrey G. and Carrie E. Fleming, 5900 Waterbury Circle, Des Moines, IA 50312
- 9) \$100 – Amy L. Miracle, 5838 Waterbury Circle, Des Moines, IA 50312
- 10) \$100 – Jeffrey J. and Elizabeth J. Mills, 5834 Waterbury Circle, Des Moines, IA 50312
- 11) \$100 – Barbara J. Cortesio, Trustee of the Barbara J. Cortesio Revocable Trust, 5828 Waterbury Circle, Des Moines, IA 50312

- 12) \$100 – James J. and Bonnie J. Graeber, 5822 Waterbury Circle, Des Moines, IA 50312
- 13) \$100 – Cathy Lesser Mansfield, 5816 Waterbury Circle, Des Moines, IA 50312
- 14) \$100 – Mary E. Leonard, 5810 Waterbury Circle, Des Moines, IA 50312
- 15) \$100 – Gerald E. and Bonnie J. Critz, 5800 Waterbury Circle, Des Moines, IA 50312
- 16) \$100 – Scott M. Olson, 5714 Waterbury Circle, Des Moines, IA 50312
- 17) \$100 – Shannon L. Cofield, 5708 Waterbury Circle, Des Moines, IA 50312
- 18) \$100 – James W. Hughes, 5702 Waterbury Circle, Des Moines, IA 50312
- 19) \$100 – David L. and Joyce G. McSorley, 5622 Waterbury Circle, Des Moines, IA 50312
- 20) \$150 – Carol A. Curnes, 5616 Waterbury Circle, Des Moines, IA 50312
- 21) \$150 – Richard J. and Paula L. Bennett, 5610 Waterbury Circle, Des Moines, IA 50312
- 22) \$100 – U.S. Bank, as Trustee of the Robert W. Lee Trust, 5600 Waterbury Circle, Des Moines, IA 50312

On October 22, 2001, by Roll Call 01-3236, the City Council approved the sale of the North 30 feet of vacated Ingersoll Avenue adjoining 5720 Waterbury Circle to Thomas and Kristina Oppold for \$100. Due to a scrivener's error, the Quit Claim Deed transferred only the North 29 feet. The property at 5720 Waterbury Circle has since been sold to Bradley and Lacey Hanchak, so to correct the error the City will transfer the additional one foot of right-of-way to them.

**PREVIOUS COUNCIL ACTION(S): NONE**

Date: February 26, 2007

Roll Call Number: 07-344

Action: [On](#) conveyance of previously vacated west 30 feet of 59<sup>th</sup> Street and the north 30 feet of Ingersoll Avenue, between Walnut Hill Avenue and 56<sup>th</sup> Street to adjoining property owners, \$2,250, (3-12-07). Moved by Hensley to adopt. Motion Carried 6-1.

Date: April 21, 1986

Roll Call Number: 86-1744

Action: Approved Ordinance No. 10,788 vacating the West 30.0 feet of 59<sup>th</sup> Street right-of-way and the North 30.0 feet of Ingersoll Avenue right-of-way between Walnut Hill Avenue and 56<sup>th</sup> Street.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**