



**Council
Communication**
Office of the City Manager

Date	May 21, 2007
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Agenda Item No.	49
Roll Call No.	07-
Communication No.	07-298
Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold Hearing on the vacation and conveyance of excess Cottage Grove Avenue right-of-way lying east of 24th Street between Cottage Grove Avenue and I-235 to Cottage Grove Homes, L.C. for \$150.

SYNOPSIS:

Approval for vacation and conveyance of such property to Cottage Grove Homes, L.C., an Iowa limited liability company, Larry James, Sr., Managing Member, 14188 Hawthorn Drive, Clive, Iowa, 50325-8713, for \$150. 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: \$150 (Revenue)

Funding Source: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767

ADDITIONAL INFORMATION:

The City Plan and Zoning Commission has considered and recommended conditional approval for the vacation and conveyance of excess Cottage Grove Avenue right-of-way lying east of 24th Street between Cottage Grove Avenue and I-235 at their meeting on May 3, 2007. On May 21, 2007, the City Council will receive and file the Plan and Zoning Commission's report and recommendation, prior to proceeding with the public hearing for the sale of this property.

The purchase of this property will allow the adjoining property owner, Cottage Grove Homes, L.C. to incorporate the vacated street right-of-way with existing owned residential property for construction of a shared private access to rear yard garages for three single family dwellings fronting 24th Street.

The excess street right-of-way consists of approximately 1,900 square feet. Cottage Grove Homes, L.C. has submitted an offer of \$150 to purchase the above referenced property, which is equal to the estimated fair market value.

PREVIOUS COUNCIL ACTION(S):

Date: May 7, 2007

Roll Call Number: 07-863

Action: [On](#) vacation and conveyance of excess Cottage Grove Avenue right-of-way lying east of 24th Street, between Cottage Grove Avenue and I-235 to Cottage Grove Homes, L.C., \$150, (5-21-07). Moved by Vlassis to adopt. Motion Carried 6-1. Council Member Kiernan declares a conflict of interest and abstains from voting.

BOARD/COMMISSION ACTION(S):

Date: May 3, 2007

Roll Call Number: N/A

Action: The City Plan and Zoning Commission approved the request for vacation and conveyance of excess Cottage Grove Avenue right-of-way lying east of 24th Street and between Cottage Grove Avenue and I-235, subject to provision of easements for all existing utilities.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE