



Council
Communication
Office of the City Manager

Date May 21, 2007

Agenda Item No. 48
Roll Call No. 07-
Communication No. 07-299
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Hold Hearing on the vacation and conveyance of a portion of Jackson Avenue right-of-way, along with conveyance of excess City-owned property, all adjoining 214 Jackson Avenue, to 214 Jackson, LLC for \$22,000.

SYNOPSIS:

Approval for vacation and conveyance of such property to 214 Jackson, LLC, Troy W. Hansen, Project Manager, 5665 Greendale Road, Suite A, Johnston, Iowa, 50131, for \$22,000. 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: \$22,000 (Revenue)

Funding Source: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767 (\$3,500) and 2007-08 Capital Improvements Program, Page 11, Storm Water Improvements, Flood Protection System Improvements, FLD008 (\$18,500).

ADDITIONAL INFORMATION:

On April 17, 1995, the City Council passed Ordinance No. 13,174 vacating Jackson Avenue right-of-way lying west of SW 2nd Street. The legal description vacating and conveying this right-of-way did not include a small portion of Jackson Avenue that should also be vacated and conveyed to the adjoining property owner.

The street right-of-way to be vacated consists of approximately 862 square feet. It is being sold, along with excess City-owned property that adjoins property at 214 Jackson Avenue. The excess City-owned property consists of two parcels. One parcel, consisting of approximately 9,410 square feet, is being sold subject to a Flood Protection Levee Easement. This Easement will also cover the vacated Jackson Avenue right-of-way. The Buyer has agreed to remove the fencing that is currently located on the property that will be encumbered by the levee easement. The other parcel consists of approximately 2,442 square feet and will not be restricted.

214 Jackson, LLC is currently in the process of closing on the purchase of property at 214 Jackson Avenue. Their plan is to incorporate this property with the property they are purchasing from the City for commercial redevelopment. 214 Jackson, LLC has submitted an offer of \$22,000 to purchase the

above referenced City property, which is equal to a restricted use fair market value. As additional consideration, 214 Jackson, LLC is conveying a parcel of property to the City that is currently encumbered by a Recreational Trail Easement. This property consists of approximately 192 square feet but is also needed for flood protection purposes. They are also granting the City a 16 foot wide permanent easement for ingress and egress for flood protection purposes across their property at 214 Jackson Avenue.

PREVIOUS COUNCIL ACTION(S):

Date: May 7, 2007

Roll Call Number: 07-862

Action: [On](#) vacation and conveyance of a portion of Jackson Avenue right-of-way, along with conveyance of excess City-owned property, all adjoining 214 Jackson Avenue to 214 Jackson, LLC for \$22,000, (5-21-07). Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE