



Council
Communication
Office of the City Manager

Date	September 10, 2007
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Agenda Item No.	70
Roll Call No.	<u>07-</u>
Communication No.	<u>07-553</u>
Submitted by:	Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Hearing on vacation and conveyance of the East/West alley right-of-way between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, to adjoining property owners for \$400.

SYNOPSIS:

Approval of vacation and conveyance of the East/West alley right-of-way between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, to adjoining property owners for \$400. 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: \$400 (Revenue)

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

ADDITIONAL INFORMATION:

On November 20, 2006, by Roll Call No. 06-2292, the City Council adopted a recommendation from the City Plan and Zoning Commission that the East/West alley right-of-way between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, be vacated and sold to the adjoining property owners, subject to reservation of an easement for all utilities now in place with the right-of-entry for servicing same.

The purchase of this property will allow the adjoining residential property owners to assemble the vacated alley right-of-way with additional owned property for back yard expansion. The property being conveyed consists of approximately 4,640 square feet and the following owners have agreed to purchase portions of the alley adjoining their properties:

- 1) \$100 – Brian D. and Susan B. Applegate, 2245 Highland Street, Des Moines, IA 50315
- 2) \$100 – Daniel Meyer, 201 Davis Avenue, Des Moines, IA 50315
- 3) \$100 – Stephanie R. Wruck, 115 Davis Avenue, Des Moines, IA 50315
- 4) \$50 – Al Grimm, 2029 Melstone Drive, Virginia Beach, VA 23456
- 5) \$50 – Theresa M. Staats, 2248 SW 1st Street, Des Moines, IA 50315

PREVIOUS COUNCIL ACTION(S):

Date: August 20, 2007

Roll Call Number: 07-[1593](#)

Action: [On](#) vacation and conveyance of east/west alley between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street to adjoining property owners, \$400, (9-10-07). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: November 20, 2006

Roll Call Number: [06-2292](#)

Action: [Regarding](#) request from Matthew and Stephanie Wruck, 115 Davis Avenue, for vacation and conveyance of the adjoining east/west alley between Davis and Olinda Avenue, extending from Highland to SW 1st Street, subject to conditions. Moved by Coleman to receive, 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: November 2, 2006

Roll Call Number: City Plan and Zoning Commission

Action: Approved request from Matthew and Stephanie Wruck, owners of the dwelling at 115 Davis Avenue, for vacation and conveyance of the adjoining East/West alley between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, subject to the reservation of easements for all existing utilities.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE