



# Council Communication

Office of the City Manager

<b>Date</b>	November 5, 2007
-------------	------------------

<b>Agenda Item No.</b>	<b>30</b>
<b>Roll Call No.</b>	<b><u>07-</u></b>
<b>Communication No.</b>	<b><u>07-661</u></b>
<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

## **AGENDA HEADING:**

Hold Hearing on vacation and conveyance of the East/West alley right-of-way adjoining 2112 Woodland Avenue to Freedom Financial Bank for \$2,400.

## **SYNOPSIS:**

Recommend approval for vacation and conveyance of such property to Freedom Financial Bank, David Hill, Chairman, 1255 Jordan Creek Parkway, West Des Moines, Iowa, 50266-2344, for \$2,400. 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: \$2,400 (Revenue)

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

## **ADDITIONAL INFORMATION:**

On August 6, 2007, by Roll Call No. 07-1511, the City Council adopted a recommendation from the City Plan and Zoning Commission to vacate and convey the East/West alley right-of-way adjoining 2112 Woodland Avenue subject to dedication of a cross-access easement through Freedom Financial Bank's property at 2112 Woodland Avenue for vehicular access between the remaining alley and Woodland Avenue, and provision of easements for the continued use and maintenance of all public utilities now in place, with right-of-entry for servicing same.

The alley right-of-way consists of approximately 800 square feet. The Buyer has purchased the former Art Store site with the intent of opening a bank with a drive-thru teller lane on the west side of the building. To accomplish this, the drive-thru lane needs to be constructed through the subject alley segment.

Freedom Financial Bank has submitted an offer of \$2,400 to purchase the above referenced property, which is equal to the estimated Fair Market Value. Freedom Financial Bank is also granting the City a Permanent Easement for Vehicular Ingress and Egress across their property at 2112 Woodland Avenue. This Easement consists of approximately 3,673 square feet and will allow vehicular access between Woodland Avenue and the remaining East/West alley right-of-way.

## **PREVIOUS COUNCIL ACTION(S):**

Date: October 22, 2007

Roll Call Number: 07-2025

Action: On vacation and conveyance of the east/west alley right-of-way adjoining 2112 Woodland Avenue to Freedom Financial Bank, \$2,400, (11-5-07). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: August 6, 2007

Roll Call Number: 07-1511

Action: Communication from Plan and Zoning Commission regarding request from Freedom Financial Bank, for vacation and conveyance of that portion of the east/west alley extending east from 22<sup>nd</sup> Street between Woodland Avenue and High Street, subject to conditions. Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Date: July 19, 2007

Roll Call Number: City Plan and Zoning Commission

Action: Recommended approval for vacation and conveyance of the East/West alley right-of-way adjoining 2112 Woodland Avenue.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**