



# Council Communication

Office of the City Manager

<b>Date</b>	December 3, 2007
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<b>Agenda Item No.</b>	<b>38</b>
<b>Roll Call No.</b>	<b>07-</b>
<b>Communication No.</b>	<b>07-719</b>
<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

## AGENDA HEADING:

Hold Hearing on conveyance of the previously vacated North/South alley right-of-way between East 28<sup>th</sup> Court and East 29<sup>th</sup> Street, south of Dean Avenue, to adjoining property owners for \$200.

## SYNOPSIS:

Approval for 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: \$200 (Revenue)

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

## ADDITIONAL INFORMATION:

On July 28, 2003, by Roll Call No. 03-1793, the City Council approved Ordinance No. 14,258 vacating the North/South alley right-of-way between East 28<sup>th</sup> Court and East 29<sup>th</sup> Street, south of Dean Avenue.

A portion of this alley was previously sold to an adjoining property owner. The sale of these additional parcels will reduce the City's ownership of residential alleys.

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 2,800 square feet, and the following owners have agreed to purchase portions of the vacated alley adjoining their properties:

- 1) \$25 – Jerry and Eva Peacock, 128 East 29<sup>th</sup> Street, Des Moines, IA 50317-7733
- 2) \$25 – Brian J. Bickel, 127 East 28<sup>th</sup> Court, Des Moines, IA 50317-7701
- 3) \$50 – Robert and Pamela Conn, 124 East 29<sup>th</sup> Street, Des Moines, IA 50317
- 4) \$50 – William and Judy Blanchard, 120 East 29<sup>th</sup> Street, Des Moines, IA 50317
- 5) \$50 – David and Dana Abell, 117 East 28<sup>th</sup> Court, Des Moines, IA 50317

## PREVIOUS COUNCIL ACTION(S):

Date: November 19, 2007

Roll Call Number: 07-2196

Action: [On](#) conveyance of previously vacated north/south alley right-of-way between E. 28<sup>th</sup> Court and E. 29<sup>th</sup> Street, south of Dean Avenue, to adjoining property owners, \$200, (12-3-07). Moved by Vlassis to adopt. Motion carried 7-0.

Date: July 28, 2003

Roll Call Number: 03-1791 – 03-1793

Action: On vacation and conveyance of the north/south alley between E. 28th Court and E. 29th, south of Dean Avenue, to Charles L. and Dorothy L. Parcel, \$50. Moved by Brooks to adopt. Motion Carried 7-0. (A) First consideration of ordinance above. Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0. (B) Final consideration of ordinance above (waiver requested by applicant) requires six votes. Moved by Brooks that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14.258](#). Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**