



**Council  
Communication**  
Office of the City Manager

<b>Date</b>	May 5, 2008
<b>Agenda Item No.</b>	41
<b>Roll Call No.</b>	<del>08-</del>
<b>Communication No.</b>	<u>08-255</u>
<b>Submitted by:</b>	Jeb E. Brewer, P.E. City Engineer

**AGENDA HEADING:**

Hearing on vacation and conveyance of 18th Street, between Carpenter Avenue and Keosauqua Way, to adjoining property owners for \$2,064.

**SYNOPSIS:**

Recommend approval of vacation and conveyance 18<sup>th</sup> Street, between Carpenter Avenue and Keosauqua Way, to adjoining property owners for \$2,064. 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: \$2,064 (Revenue)

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

**ADDITIONAL INFORMATION:**

On March 24, 2008, by Roll Call No. 08-484, the City Council set hearing on request from Kenoyer and Associates to rezone property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions.

On March 24, 2008, by Roll Call No. 08-485, the City Council adopted a recommendation from the City Plan and Zoning Commission that 18th Street, between Carpenter Avenue and Keosauqua Way 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.

On April 7, 2008, by Roll Call No. 08-607, the City Council approved the rezoning of the property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions.

On April 21, 2008, by Roll Call No. 08-663, the City Council set date of hearing on vacation and conveyance of 18<sup>th</sup> Street between Carpenter Avenue and Keosauqua Way to adjoining property owners, \$2,064 for May 5, 2008.

The purchase of this property will allow assemblage of vacated right-of-way to the adjoining properties for the following owners, who have agreed to purchase their adjoining portions of the street right-of-way:

1. \$ 864.00 – Kenoyer and Associates, L.L.C., 1701 Keosauqua Way
2. \$1,200.00 – Aterra 3, 1901 Carpenter, DSM, L.L.C. The sale of the portion of the street right-of-way to Kenoyer and Associates is subject to a driveway access easement benefitting the property owner, heirs, or assigns of the real property locally known as 1720 Carpenter Avenue, Des Moines, Iowa.

**PREVIOUS COUNCIL ACTION(S):**

Date: April 21, 2008

Roll Call Number: [08-663](#)

Action: On vacation and conveyance of 18<sup>th</sup> Street between Carpenter Avenue and Keosauqua Way to adjoining property owners, \$2,064, (5-5-08). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: April 7, 2008

Roll Call Number: [08-607](#)

Action: On request from Kenoyer and Associates to rezone property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions. Moved by Vlassis to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1.

Date: April 7, 2008

Roll Call Number: [08-608](#)

Action: First consideration of ordinance above. Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.

Date: March 24, 2008

Roll Call Number: [08-484](#)

Action: On request from Kenoyer and Associates to rezone property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions, (4-7-08). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: March 24, 2008

Roll Call Number: [08-485](#)

Action: Communication from Plan and Zoning Commission regarding request from Kenoyer and Associates to vacate and convey 18<sup>th</sup> Street between Carpenter Avenue and Keosauqua Way, subject to conditions. Moved by Vlassis to receive and file. Motion Carried 7-0.

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

Date: March 6, 2008

Roll Call Number: Item 6

Action: Motion to vacate and convey 18<sup>th</sup> Street between Carpenter Avenue and Keosauqua Way subject to provision of easements for any existing utilities. 11-0 Approval

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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