

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	January 5, 2009
	Agenda Item No. 20 Roll Call No. <u>09-</u> Communication No. <u>09-005</u> Submitted by: Jeb E. Brewer, P.E., City Engineer	

AGENDA HEADING:

Hold hearing for vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24th and 25th Street, north of Rollins Avenue and south of Interstate 235, to R. M. Madden Construction Inc. for \$275.

SYNOPSIS:

Recommend approval of vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24th and 25th Street, north of Rollins Avenue and south of Interstate 235, to R. M. Madden Construction Inc., Rick Madden, Vice President, 5909 Grand Avenue, Des Moines, Iowa 50312. 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. The sale of this property will help reduce the City’s ownership of excess land and will allow R. M. Madden Construction Inc. to expand the side and rear yard of their adjoining property located at 938 & 954 24th Street.

FISCAL IMPACT:

Amount: \$275 (Revenue)

Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG980500. The first \$175,000 of annual proceeds to the Property Maintenance Endowment Fund will be returned to the General Fund (GE001, ENG040700) to offset the operating budget of the Engineering – Real Estate Division.

ADDITIONAL INFORMATION:

On November 24, 2008, by Roll Call No. 08-2042, the City Council received a recommendation from the City Plan and Zoning Commission that a segment of the east/west alley and a segment of the north/south alley between 24th and 25th Street, north of Rollins Avenue and south of Interstate 235, be vacated and sold to R.M. Madden Construction Inc., subject to the following restrictions:

- 1) Subject to reservation of easements for all utilities now in place with the right-of-entry for servicing same.
- 2) Compliance with the building code and site plan regulations for development of the property.

This conveyance will help reduce the City’s ownership of excess land, and will allow the adjoining residential property owner to assemble the excess right-of-way with additional owned property for residential yard expansion. R. M. Madden Construction Inc., the adjoining property owner, has

submitted an offer of \$275 to purchase the excess city-owned parcels, which is equal to the estimated fair market value.

PREVIOUS COUNCIL ACTION(S):

Date: December 22, 2008

Roll Call Number: 08-2195

Action: On vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24th and 25th Streets, north of Rollins Avenue and south of Interstate 235 to R. M. Madden Construction Inc., \$275, (1-5-09). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: November 24, 2008

Roll Call Number: 08- 2042

Action: Regarding request from R.M. Madden Construction, Inc. for vacation and conveyance of segment of east/west alley and segment of north/south alley between 24th and 25th Street, north of Rollins Avenue and south of Interstate 235, subject to conditions. Moved by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: November 6, 2008

Roll Call Number: Plan and Zoning Commission

Action: Moved for approval of the requested vacation and conveyance subject to conditions. Motion passed 11-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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