



Council Communication

Office of the City Manager

Date

May 18, 2009

Agenda Item No. 67
Roll Call No. 09-
Communication No. 09-336
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Hold Hearing for the vacation and conveyance of portions of excess street and alley rights-of-way, located between 18th Street and 19th Street from Atkins Street to Day Street, to Ryan Galloway (1039 19th Street, Des Moines, Iowa 50314) for \$5,875.

SYNOPSIS:

Recommend approval of the vacation and conveyance of portions of excess street and alley rights-of-way, located between 18th Street and 19th Street from Atkins Street to Day Street, to Ryan Galloway for \$5,875. 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 Ryan Galloway to construct a proposed multiple family residential development project.

FISCAL IMPACT:

Amount: \$5,875 (revenue)

Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG980500 Page 222. 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 May 7, 2009, the City Plan and Zoning Commission approved a request from Ryan Galloway that portions of excess street and alley rights-of-way between 18th Street and 19th Street from Atkins Street to Day Street be vacated and sold to Ryan Galloway, subject to the following restrictions:

- 1) Subject to reservation of easements for all utilities now in place with the right-of-entry for servicing.
- 2) Subject to an easement for vehicular ingress and egress across the North/ South alley right of way and the lot located at 1036 18th Street.

Ryan Galloway has submitted an offer to purchase the property for \$5,875, which is equal to the estimated fair market value. The sale of this property will help reduce the City's ownership of excess land and will allow Ryan Galloway to construct a proposed multiple family residential development project.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Date: May 7, 2009

Roll Call Number: Plan and Zoning Commission

Action: Moved for approval of the requested vacation and conveyance, subject to provision of easements for any existing utilities and vehicular access, until such time that they are relocated. Motion passed.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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