

 <div style="text-align: center;"> <h1 style="margin: 0;">Council</h1> <h1 style="margin: 0;">Communication</h1> <p style="margin: 0;">Office of the City Manager</p> </div>	Date	July 13, 2009
	<p>Agenda Item No. 63</p> <p>Roll Call No. <u>09-</u></p> <p>Communication No. <u>09-455</u></p> <p>Submitted by: Jeb E. Brewer, P.E., City Engineer</p>	

AGENDA HEADING:

Hold hearing for the conveyance of City-owned property located north of Interstate 235 between 21st and 22nd Streets to Don and Jason Roose for \$200.

SYNOPSIS:

Recommend approval of the conveyance of City-owned property located north of Interstate 235 (I-235) between 21st and 22nd Streets to Don and Jason Roose, 3118 SW 22nd Street, Des Moines, Iowa 50321-1531, for \$200. This action is required 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 Don and Jason Roose to expand the rear yards of the adjoining properties located at 1031, 1035 and 1041 22nd Street.

FISCAL IMPACT:

Amount: \$200 (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:

As part of the I-235 expansion project, Day Street was removed between 21st and 22nd Streets on the north side of the freeway. The closure of Day Street in this area resulted in the need to acquire the above described parcel of vacant land due to parcel's loss of access and frontage to Day Street. On July 18, 2001, the Iowa Department of Transportation (IDOT) purchased the property in the name of the City, as authorized by an agreement between the City and IDOT for the expansion of I-235.

Due to the elimination of the Day Street access and frontage, this City owned property cannot be developed in its current state. The only feasible use of the property is for assemblage with adjoining residential properties for rear yard expansion. The City's Real Estate Division sent out bid notices to all adjoining owners and one adjoining owner was interested in purchasing the entire property. One bid for \$200 was received from Don and Jason Roose, who are the owners of the adjoining properties located at 1031, 1035 and 1041 22nd Street. The City's Real Estate Division has determined that the bid of \$200 is equal to the estimated fair market value, given the limited uses and demand for this type of property.

There is no current or anticipated public need for this property and the sale of this property will relieve the City of its current property maintenance liability. The use of the property will be restricted to rear yard uses only, with the exception that auxiliary structures may be allowed if permitted under the City's building codes. The City will also reserve easements for any encroachments, sidewalks, sanitary and storm sewers or surface water flowage, and an easement for any existing utilities currently in place, together with the right of access for maintenance and repair as needed.

PREVIOUS COUNCIL ACTION(S):

Date: June 22, 2009

Roll Call Number: 09-1074

Action: On conveyance of property, north of I-235 between 21st and 22nd Streets, to adjoining property owners, Don and Jason Roose, \$200, (7-13-09). Moved by Vlassis to adopt. Motion Carried 7-0

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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