

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	July 27, 2009
	Agenda Item No. 56 Roll Call No. <u>09-</u> Communication No. <u>09-527</u> Submitted by: Jeb E. Brewer, P.E., City Engineer	

AGENDA HEADING:

Hold hearing for the conveyance of a vacated segment of the east/west alley between SE 8th Street and SE 9th Street between East Railroad Avenue and Vale Street to Larry Parsons for \$100.

SYNOPSIS:

Recommend approval of the conveyance of a vacated segment of the east/west alley between SE 8th Street and SE 9th Street between East Railroad Avenue and Vale Street to Larry Parsons, 806 E Railroad Avenue, Des Moines, Iowa 50309, for \$100. 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 Larry Parsons to expand the rear yard of his property.

FISCAL IMPACT:

Amount: \$100 (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 December 21, 1998, by Roll Call No. 98-3928 (Ordinance No. 13,665), the City Council vacated the east/west alley and the north/south alley between 8th and 9th Streets, north of Railroad Avenue and south of Vale Street, subject to reservation of easements for all utilities now in place with the right-of-entry for servicing same.

The property to be conveyed is the last section of this east/west alley under City ownership and is currently inaccessible by the City for maintenance. The conveyance of this property will help reduce the City’s ownership of excess land and will also eliminate the City’s maintenance liability for this property. Larry Parsons has submitted an offer of \$100 to purchase the property for residential yard expansion, which is equal to the estimated fair market value.

PREVIOUS COUNCIL ACTION(S):

Date: July 13, 2009

Roll Call Number: 09-1213

Action: On conveyance of a vacated segment of the east/west alley between SE 8th and SE 9th Streets from E. Railroad Avenue and south of Vale Street to Larry Parsons, \$100, (7-27-09). Moved by Kiernan to adopt. Motion Carried 7-0.

Date: December 21, 1998

Roll Call Number: 98-3928

Action: (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. Moved by Coleman 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, #13,665. Motion Carried 6-1. Absent: McPherson.

Date: December 21, 1998

Roll Call Number: 98-3927

Action: (A) First consideration of ordinance above. Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.

Date: December 21, 1998

Roll Call Number: 98-3926

Action: On vacation and conveyance of alley rights-of-way in the block bounded by S.E. 8th, SE 9th and Vale Streets, and by Railroad Avenue, to Richard, R. Channon, Sr.-- \$50, William L. and Frances F. Aldini--\$25, Billy J. and Carolyn A. Wright--\$25, and Robert D. and Beverly J. Smith--\$50, (prior approval contained an error in publication). Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.

BOARD/COMMISSION ACTION(S):

Date: September 26, 1998

Roll Call Number: 98-2989

Action: Regarding request from Richard R. Channon Sr., 924 SE 9th Street, for vacation and conveyance of the East/West and North/South alley rights-of-way between Vale Street to Railroad Avenue and SE 9th to SE 8th. Moved by Vlassis to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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