

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	August 10, 2009
	Agenda Item No. 63 Roll Call No. <u>09-</u> Communication No. <u>09-541</u> Submitted by: <u>Job E. Brewer, P.E.,</u> City Engineer	

AGENDA HEADING:

Hold hearing for the vacation and conveyance of a segment of the east/west alley running west of Martin Luther King, Jr. Parkway to 22nd Street, between Washington Avenue and Mondamin Avenue, to adjoining property owners for \$676.

SYNOPSIS:

Recommend approval of the vacation and conveyance of a segment of the east/west alley running west of Martin Luther King, Jr. Parkway to 22nd Street, between Washington Avenue and Mondamin Avenue, to adjoining property owners for \$676. 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: \$676

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 May 18, 2009, by Roll Call No. 09-848, the City Council adopted a recommendation from the City Plan and Zoning Commission that a segment of the east/west alley running west of Martin Luther King, Jr. Parkway between Washington Avenue and Mondamin Avenue be conveyed to the adjoining property owners, 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) Subject to all zoning violations being corrected.

The portion of this alley west of the parcels listed below was previously vacated and conveyed to the adjoining property owners west to 22nd Street. This conveyance will complete the sale of the remaining alley right-of-way east to Martin Luther King, Jr. Parkway. The sale of this alley will also help reduce the City’s ownership and maintenance costs, and will allow the adjoining property owners to incorporate the vacated alley into their existing property. All adjoining property owners were provided an

opportunity to purchase the sections of alley that adjoin their properties. The offers received below from adjoining property owners are equal to the estimated fair market value for this alley right-of-way.

- 1) Frederick Hews is the owner of 1622 and 1626 Martin Luther King, Jr. Parkway and has submitted an offer to purchase the vacated alley right-of-way adjoining his property for \$626.
- 2) T & J Development Company, Inc. is the owner of 2019 Mondamin Avenue and has submitted an offer to purchase the vacated alley right-of-way adjoining its property for \$50.

PREVIOUS COUNCIL ACTION(S):

Date: May 18, 2009

Roll Call Number: 09-848

Action: Regarding request from Frederick Robert Hews, 1622 M. L. King Jr. Pkwy., for vacation and conveyance of a segment of east/west alley running west of M. L. King Jr. Pkwy. between Washington and Mondamin Avenues, subject to conditions. Moved by Kiernan to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-1. Absent: Cownie.

BOARD/COMMISSION ACTION(S):

Date: May 7, 2009

Roll Call Number: Plan and Zoning Commission, Item # 4

Action: Approval of staff recommendation to the request from Frederick Robert Hews (owner), 1622 M.L. King Jr. Parkway between Washington Avenue and Mondamin Avenue subject to the following:
1. Provision of utility easements for all public utilities in place. 2. All zoning violations are corrected.
Motion passed 13-0

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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