

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	August 24, 2009
	Agenda Item No. 57 Roll Call No. <u>09-</u> Communication No. <u>09-606</u> Submitted by: Jeb E. Brewer, P.E., City Engineer	

AGENDA HEADING:

Hold Hearing for the conveyance of City owned real estate and for the vacation and conveyance of the adjoining north/south alley at the corner of Indianola Avenue and Edison Avenue to St. Anthony’s Church of Des Moines, Polk County, Iowa for \$300.

SYNOPSIS:

Recommend approval of the conveyance of City owned real estate and for the vacation and conveyance of the adjoining north/south alley at the corner of Indianola Avenue and Edison Avenue to St. Anthony’s Church (represented by Msgr. Frank Chiodo, 1815 Southwest 1st Street, Des Moines, Iowa) for \$300. 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 St. Anthony’s to assemble these properties with other adjoining properties for construction of a grotto.

FISCAL IMPACT:

Amount: \$300 (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 21, 2008, the City Plan and Zoning Commission approved a request from St. Anthony’s Church to vacate and convey the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue subject to the following conditions:

- 1) Provision of easements for any existing utilities.
- 2) Compliance with the building code and site plan regulations for development of property.

On November 24, 2008, by Roll Call No. 08-2043, the City of Des Moines City Council approved the recommendation from the City Plan and Zoning Commission for vacation and conveyance of the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue subject to the above-referenced conditions.

St. Anthony's Church is the owner of real property abutting said north/south alley, which also abuts additional excess City owned property located at the corner of Indianola Avenue and Edison Avenue. St. Anthony's Church has submitted an offer to purchase all of this property for \$300, which is equal to the estimated fair market value.

PREVIOUS COUNCIL ACTION(S):

Date: August 10, 2009

Roll Call Number: 09-1441

Action: On conveyance of city-owned real estate and for the vacation and conveyance of the adjoining alley at the corner of Indianola Road and Edison Avenue to St. Anthony's Church, \$300, (8-24-09). Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 24, 2008

Roll Call Number: 08-2043

Action: Regarding request from St. Anthony's Church of Des Moines for vacation and conveyance of north/south alley between SW 1st Street and Indianola Avenue from Edison to Indianola Avenue, 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 21, 2008

Roll Call Number: Plan and Zoning Commission, Item 13.

Action: Moved staff recommendation to approve the requested vacation and conveyance of the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue subject to provision of easements for any existing utilities and compliance with the building code and site plan regulations for development of the property. Motion passed 10-0-1 (Brian Millard abstained.)

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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