



Council Communication

Office of the City Manager

Date

February 8, 2010

Agenda Item No. 51
Roll Call No. 10-
Communication No. 10-063
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Hold hearing for conveyance of excess City Property located south of and adjacent to 821 40th Place to Brian Burns for \$237.

SYNOPSIS:

Recommend approval of the conveyance of excess City Property located south of and adjacent to 821 40th Place to Brian Burns for \$237. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. This property was originally acquired as part of the Waveland Trail – 40th Street to 42nd Street Project, and can be sold subject to a recreation trail easement. Except for the recreation trail easement, there will not be any current or anticipated future public need for this property. The sale of this property will help reduce the City's ownership of excess land and will allow Brian Burns to expand the rear yard of his property.

FISCAL IMPACT:

Amount: \$237 (Revenue)

Funding Source: 2009/10 CIP, Park Improvements, Recreation Trails, Page Park Improvements – 22, Waveland Trail – 40th Street to 42nd Street, PKS045.

ADDITIONAL INFORMATION:

On January 25, 2010, by Roll Call No. 10-108, the City Council set the date of hearing for conveyance of excess City property located south of and adjacent to 821 – 40th Place to Brian Burns for \$237, subject to the reservation of a recreation trail easement and an easement for all utilities now in place with the right-of-entry for servicing same.

This property is an undevelopable remnant parcel consisting of approximately 2,755 square feet and was originally acquired as a part of the Waveland Trail – 40th Street to 42nd Street Project. Due to the property's irregular shape, small size and lack of street access, the best use of the property is for assemblage to the adjoining owner, subject to a recreation trail easement. Except for the recreation trail easement, there will not be any current or anticipated future public need for this property. The sale of this property will create a taxable parcel and will also eliminate the City's maintenance liability for the property. The purchase price of \$237 is equal to the estimated fair market value of the property, as determined by the City's Real Estate Division. Brian Burns will use the property to assemble with and expand his existing residential yard.

PREVIOUS COUNCIL ACTION(S):

Date: January 25, 2010

Roll Call Number: 10-108

Action: On conveyance of excess City property located south of and adjacent to 821 – 40th Place to Brian Burns, \$237, (2-8-10). Moved by Mahaffey to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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