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|  <p style="text-align: center;">Council Communication Office of the City Manager</p> | Date: May 24, 2010 |
| | Agenda Item No. 53 Roll Call No. <u>10-844</u> Communication No. <u>10-284</u> Submitted by: Jeb E. Brewer, P.E., City Engineer |

AGENDA HEADING:

Continued hearing for conveyance of excess City-owned property adjoining 3211 Delaware Avenue to DSDM, LLC for \$14,880.

SYNOPSIS:

Recommend conveyance of City-owned property adjoining 3211 Delaware to DSDM, LLC, Tom Fleming, President, 3211 Delaware Avenue, Des Moines, Iowa 50313-4705, for \$14,880. This action was continued on May 10, 2010, at the request of DSDM, LLC, and 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: \$14,880 (Revenue)

Funding Source: 2010-2011 CIP, Page Storm Water Improvements – 4, City-wide Storm Water Utility Projects, STE057

ADDITIONAL INFORMATION:

The City of Des Moines is the owner of property located east of 3211 Delaware Avenue. This property was purchased in 1996 for the 7th Ward Ditch North of East Hull Avenue Basin Project. DSDM, LLC has requested to purchase a small portion of this property for expansion of their adjoining commercial property at 3211 Delaware Avenue. It has been determined by the City’s Public Works – Storm Water Division that this parcel is excess property not needed for the East Hull Avenue Basin.

The size of the property to be conveyed is approximately 17,562 square feet, and is being sold subject to a no-build restriction on the east 187.90 feet. DSDM, LLC has submitted an offer to purchase the above referenced property for \$14,880, which is equal to the estimated restricted use fair market value. The buyer will be required to pay an additional \$5,730 if the no-build restriction is released in the future.

PREVIOUS COUNCIL ACTION(S):

Date: May 10, 2010

Roll Call Number: 10-741

Action:

On conveyance of excess City-owned property adjoining 3211 Delaware Avenue to DSDM, LLC, \$14,880, and to continue to 5-24-10. Moved by Mahaffey to adopt and to continue the public hearing until May 24, 2010 at 5:00 PM in the Council Chambers. Motion Carried 7-0.

Date: April 26, 2010

Roll Call Number: 10-603

Action: On conveyance of excess City-owned property adjoining 3211 Delaware Avenue to DDSM, LLC, \$14,880, (5-10-10). Moved by Coleman to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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