

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 28, 2010
	Agenda Item No. 43 Roll Call No. <u>10-1061</u> Communication No. <u>10-401</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing for conveyance of vacated alley right-of-way lying west of and adjoining 4136 Amherst Street to Donna J. McConkley, Trustee for the Maurine T. Lee Revocable Trust for \$50.

SYNOPSIS:

Recommend approval of the conveyance of such property to Donna J. McConkley, Trustee for the Maurine T. Lee Revocable Trust, 4136 Amherst Street, Des Moines, Iowa, 50313-3762, for \$50. 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 for expansion of the buyer’s back yard.

FISCAL IMPACT:

Amount: \$50 (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 January 6, 1997, by Roll Call No. 97-115, the City Council passed Ordinance No. 13,413 vacating the north/south alley right-of-way in the block bounded by East Shawnee and East Aurora Avenues and by Bowdoin and Amherst Streets.

Donna J. McConkley, Trustee for the Maurine T. Lee Revocable Trust has submitted an offer of \$50 to purchase the above referenced alley right-of-way, which is equal to the estimated fair market value. The property being conveyed consists of approximately 800 square feet and is being sold subject to an ingress/egress easement to allow the City access to the remaining City-owned segments of vacated alley adjoining this parcel for maintenance purposes. The ingress/egress easement prevents the City from creating any “islands.” This is consistent with current City policy to not convey property that would create “islands” or land-locked parcels. This property will be incorporated with the buyer’s adjoining residential property for back yard expansion and for an encroachment of their existing garage.

PREVIOUS COUNCIL ACTION(S):

Date: [June 14, 2010](#)

Roll Call Number: [10-901](#)

Action: [On](#) conveyance of portion of vacated alley, west of 4136 Amherst Avenue, to Donna J. McConkley, Trustee for Maurine T. Lee Revocable Trust, \$50 to incorporate into residential lot, (6-28-10). Moved by Moore to adopt. Motion Carried 7-0.

Date: January 6, 1997

Roll Call Number: Roll Call 97-115

Action: An ordinance vacating the north/south alley right-of-way in the block bounded by E. Shawnee and E. Aurora Avenues and by Bowdoin and Amherst Streets, and repealing Ordinance No. 13,389.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.