



Council Communication

Office of the City Manager

Date:	April 25, 2011
Agenda Item No.	51
Roll Call No.	<u>11-0705</u>
Communication No.	<u>11-245</u>
Submitted by:	Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Hold hearing for conveyance of excess City-owned property located on the north side of Pleasant Drive, west of 56th Street, to R. M. Madden Construction, Inc. for \$28,633.

SYNOPSIS:

Recommend approval for conveyance of excess City-owned property located on the north side of Pleasant Drive, west of 56th Street. 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 the construction of a single-family home.

FISCAL IMPACT:

Amount: \$28,633 (Minimum Revenue) or \$40,000 (Revenue if an alternate proposal is accepted).

Funding Source: 2011-2012 CIP, Recreation Trails, PKS045, Page Park Improvements – 17.

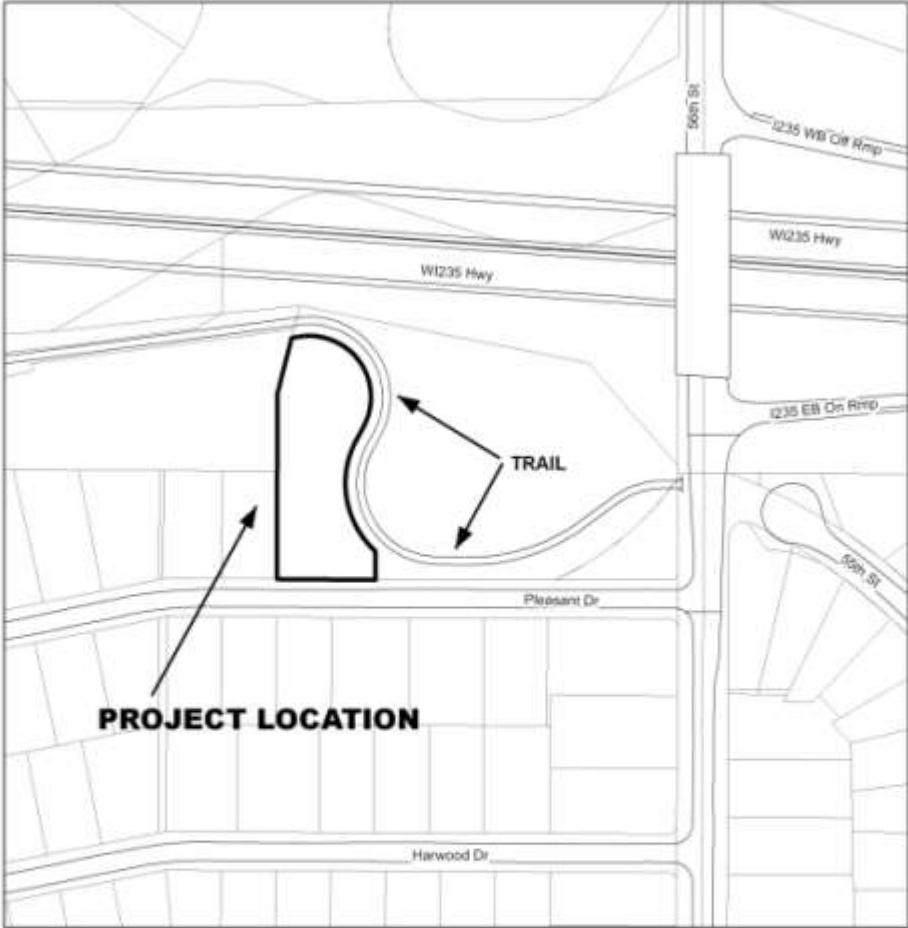
ADDITIONAL INFORMATION:

The City of Des Moines is the owner of property located on the north side of Pleasant Drive, west of 56th Street. This property was originally acquired from the Iowa Department of Transportation for the Waveland Trail – Phase I Project. It has been determined by City staff that the property is excess and not needed for the trail project. The size of the property to be conveyed is approximately 32,847 square feet. It is being sold subject to a Permanent Storm Sewer Easement and Permanent Easement for Storm Water and Surface Water Flowage over a portion of the property, as well as the elevations and exterior materials of the dwelling shall be subject to review and approval by the Community Development Director at time of issuance of the building permit.

On April 9, 2010, bid letters were mailed to adjoining and nearby property owners, developers and all other interested buyers of record. Bids were received from Michael and Nadine Kastner, 5833 Pleasant Drive, Des Moines, IA, 50312-1211 for \$7,500; William T. Nassif, 5708 Pleasant Drive, Des Moines, IA, 50312-1210, for \$18,100; and R. M. Madden Construction, Inc., Rick Madden, President, 5909 Grand Avenue, Des Moines, IA, 50312-1414 for \$30,133. After receipt of Madden Construction's bid, it was discovered that there is a storm sewer intake that runs through the center of the property which restricts the use of that portion of the property, so Mr. Madden reduced his offer to purchase by \$1,500 to \$28,633, which is equal to the estimated restricted use fair market value of the property.

On April 11, 2011, by Roll Call No. 11-0580, the City Council set the date of hearing for the proposed conveyance to R. M. Madden Construction, Inc. for April 25, 2011. On April 12, 2011, Victoria Bettis, 4231 SE 23rd Street, Des Moines, IA, 50320-2631, contacted the City’s Real Estate Division and requested information on the property, after an adjoining property owner had informed her that the City was in the process of selling it. On this same date, Victoria Bettis submitted an offer to purchase the above referenced property for \$40,000, for construction of a single-family home. Said offer is subject to the same terms and conditions as R. M. Madden Construction’s offer.

Since both offers listed above from R. M. Madden Construction, Inc. and Victoria Bettis are subject to the same terms and conditions and are for the same type of use (single-family housing), City staff recommends selling the property to the highest bidder by accepting an alternate proposal.



DISPOSITION - EXCESS LAND
WAVELAND TRAIL - PHASE 1



PREVIOUS COUNCIL ACTION(S):

Date: April 11, 2011

Roll Call Number: 11-0580

Action: [On](#) conveyance of excess City-owned property located on north side of Pleasant Drive, west of 56th Street to R.M. Madden Construction, Inc. for residential development, \$28,633, (4-25-11). Moved by Hensley to adopt. Motion Carried 6-1.

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.