 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> February 27, 2012
	<b>Agenda Item No.</b> 45 <b>Roll Call No.</b> [ _____ ] <b>Communication No.</b> <u>12-079</u> <b>Submitted by:</b> <b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of a permanent easement for a portion of excess SW 8th Street right-of-way adjoining 729 Bell Avenue to Kristin Konchalski for \$200.

**SYNOPSIS:**

Recommend approval for vacation and conveyance of a permanent easement for a portion of excess SW 8th Street right-of-way adjoining 729 Bell Avenue to Kristin Konchalski for \$200. This action is required by Iowa law prior to making a final determination on the proposed easement by resolution. There is no current or anticipated public need for this property, except for reservation of a utility easement. The conveyance of this easement will help reduce the City’s cost of ownership of this excess land.

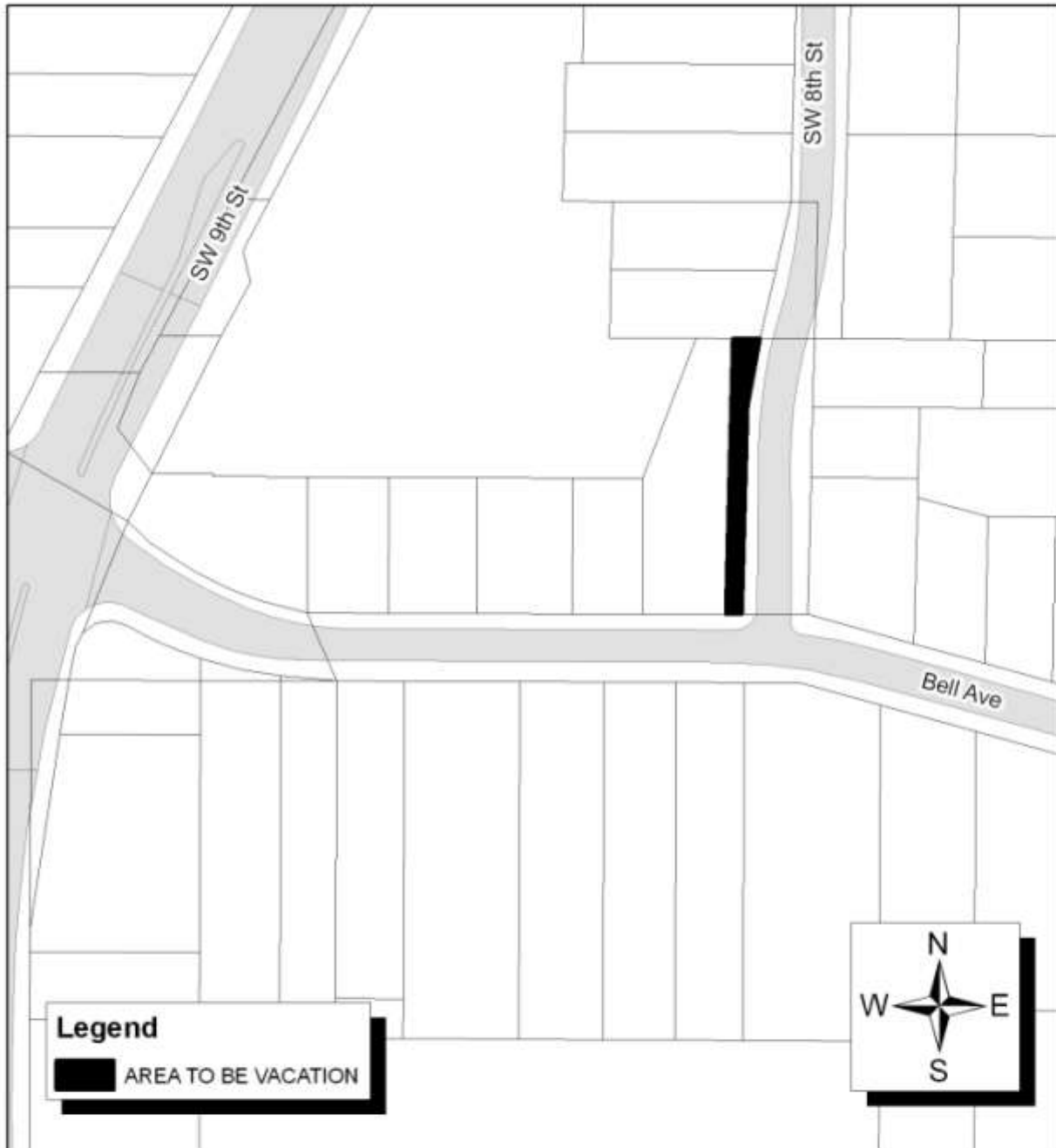
**FISCAL IMPACT:**

Amount: \$200 (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:**

Kristin Konchalski is the owner of property located at 729 Bell Avenue and has agreed to purchase a permanent easement over a portion of the adjoining SW 8th Street right-of-way for \$200. The easement area consists of approximately 2,900 square feet and is needed to accommodate existing fence and building encroachments. The purchase price of \$200 is equal to the estimated restricted-use fair market value of the easement area, as determined by the City’s Real Estate Division. There is no anticipated current or future public need for this property, except that the City will reserve an easement upon the property for the continued use and maintenance of any utilities now in place.



**VACATION OF  
SOUTHWEST 8TH STREET  
RIGHT OF WAY**

**PREVIOUS COUNCIL ACTION(S):**

Date: February 13, 2012

Roll Call Number: 12-0184

Action: [On](#) vacation and conveyance of a permanent easement within a portion of excess SW 8th Street right-of-way adjoining 729 Bell Avenue to Kristin Konchalski, \$200, (2-27-12). Moved by Hensley to adopt. Motion Carried 7-0.

Date: October 24, 2011

Roll Call Number: 11-1778

Action: [Regarding](#) request from Kristin Konchalski, owner 729 Bell Avenue, for vacation of a segment of SW 8th Street, east of and adjoining the subject property, and west of the travelled, improved portion of the street, subject to conditions. Moved by Mahaffey to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Board: Plan and Zoning Commission

Date: October 6, 2011

File Number: 11-2011-1.13

Action: Regarding request from Kristin Konchalski (owner) 729 Bell Avenue, for vacation of a segment of a portion of Southwest 8th Street east of and adjoining the subject property and west of the travelled, improved portion of the street, subject to reservation of easements for all public utilities in place.

**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](mailto:cityclerk@dmgov.org).