 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	February 25, 2013
	<b>Agenda Item No.</b>	<b>34</b>
	<b>Roll Call No.</b>	<b><u>13-0335</u></b>
	<b>Communication No.</b>	<b><u>13-079</u></b>
	<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of the east 12 feet of East 33rd Street right-of-way from vacated Thompson Avenue to a point 282 feet to the north, to St. Joseph’s Church of Des Moines, Polk County, Iowa for \$350.

**SYNOPSIS:**

Recommend approval of vacation and conveyance of the east 12 feet of East 33rd Street right-of-way from vacated Thompson Avenue to a point 282 feet to the north, to St. Joseph’s Church of Des Moines, Polk County, Iowa, Bill Konnath, Business Manager, 3300 Easton Boulevard, Des Moines, Iowa, 50317, for \$350. This action is required by Iowa law, prior to making a final determination on the proposed vacation and sale by resolution. There is no current or anticipated public need for this property, except for the easement identified below. The sale of this property will help reduce the City’s ownership of excess land.

**FISCAL IMPACT:**

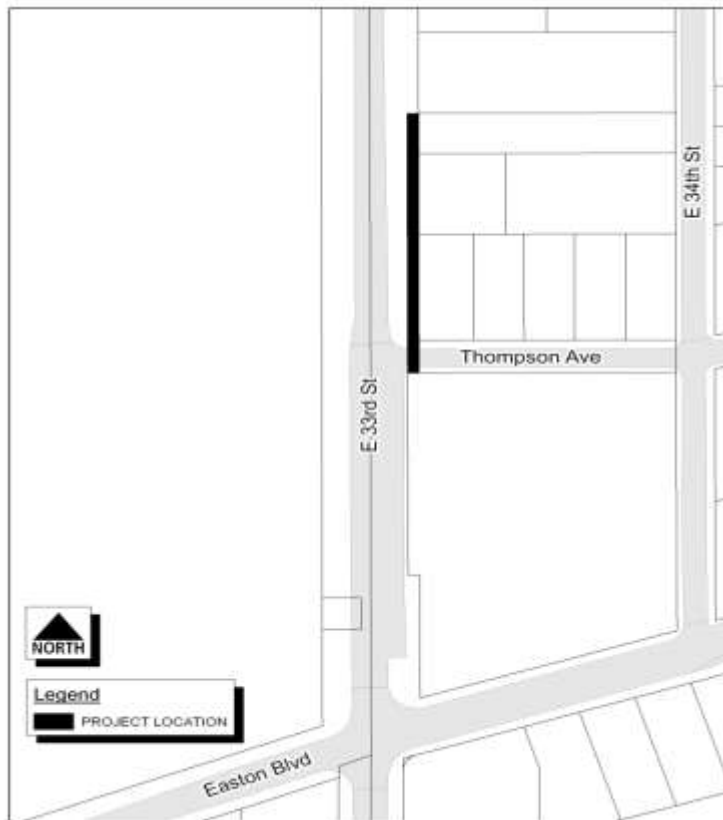
Amount: \$350 (Revenue)

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:**

St. Joseph’s Church of Des Moines, Polk County, Iowa, the owner of 3300 Easton Boulevard, has offered to purchase the east 12 feet of East 33<sup>rd</sup> Street right-of-way adjoining their property for \$350 to allow for expansion and parking lot construction. The property to be conveyed consists of approximately 3,855 square feet, and the purchase price is equal to the estimated fair market value of the property as determined by the City’s Real Estate Division.

The only anticipated current or future public need for this property is for public access over a portion of the property adjoining vacated Thompson Avenue, so the City’s conveyance will be subject to a permanent easement for public access across the east 12 feet of vacated East 33<sup>rd</sup> Street lying west of and adjoining vacated Thompson Avenue.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 11, 2013

Roll Call Number: [13-0205](#)

Action: [On](#) vacation and conveyance of the east 12 feet of E. 33rd Street right-of-way from vacated Thompson Avenue to a point 282 feet to the north to St. Joseph's Church of Des Moines, Polk County, Iowa, for expansion and construction of a parking lot, \$350, (2-25-13). Moved by Hensley to adopt. Motion Carried 7-0.

Date: December 3, 2012

Roll Call Number: [12-1832](#)

Action: [Regarding](#) request from St. Joseph's Catholic Church for vacation of the east 12 feet of E. 33rd Street from vacated Thompson Avenue to a point 282 feet to the north, subject to conditions. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

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

Board: City Plan and Zoning Commission

Date: November 15, 2012

Resolution Number: 11-2012-1.20

Action: Request from St. Joseph's Catholic Church (owner) 2214 East 34th Street, represented by Bill Konnath (officer), for vacation of the east 12 feet of East 33rd Street from vacated Thompson Avenue to a point 282 feet to the north.

**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 first 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).