

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> June 10, 2013
	<b>Agenda Item No.</b> 46 <b>Roll Call No.</b> <u>13-271</u> <b>Communication No.</b> <u>13-281</u> <b>Submitted by:</b> <b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Continued hearing for conveyance of the vacated 17th Street right-of-way adjoining 1702 Keosauqua Way to Spectrum Resource Program for \$2,165.

**SYNOPSIS:**

Recommend approval for conveyance of such property to Spectrum Resource Program, Jarold C. Brantley, CEO, 1702 Keosauqua Way, Des Moines, Iowa, 50314-1834, for \$2,165. 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 and the sale of the property will help reduce the City's ownership of excess land. The original set hearing roll call and publication notice contained a small error in the legal description of the property to be conveyed, so it was necessary to continue the hearing to republish the corrected notice to correct the scrivener's error.

**FISCAL IMPACT:**

Amount: \$2,165 (Revenue)

Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Fund: SP767, Org: ENG980500.

**ADDITIONAL INFORMATION:**

On May 17, 1982, by Roll Call No. 82-2061, City Council approved and adopted Ordinance No. 10,125 vacating a segment of 17<sup>th</sup> Street lying south of Keosauqua Way. The vacated right-of-way is located on the east side of 1702 Keosauqua Way. The parcel contains approximately 3,089 square feet and is non-buildable due to a very steep grade and an irregular shape.

Approximately two (2) years ago, the City removed a dilapidated wooden walkway and steps that were previously constructed on the City's property to help reduce the City's liability with ownership of this excess property. At this time, City staff discovered that the adjoining property owner, Spectrum Resource Program, was using the property to discharge storm water that collects at their property at 1702 Keosauqua Way. City staff has reaffirmed that there is no current or anticipated public need for the property and due to the shape and grade of this property and surrounding properties, the highest and best use for the City's parcel is for assemblage with the property at 1702 Keosauqua Way.

City staff has offered the property for sale to the adjoining owner at 1702 Keosauqua Way, Spectrum Resource Program, and they have agreed to purchase the property for \$2,165, which is equal to the estimated fair market value of the property as determined by the City's Real Estate Division.



**PREVIOUS COUNCIL ACTION(S):**

Date: May 20, 2013

Roll Call Number: [13-0830](#)

Action: [On](#) conveyance of the vacated north/south 17th Street right-of-way adjoining 1702 Keosauqua Way to Spectrum Resource Program, \$2,165 and to continue to June 10, 2013 at 5:00 PM. ([Council Communication No. 13-255](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 6, 2013

Roll Call Number: [13-0717](#)

Action: [On](#) conveyance of the vacated north/south 17th Street right-of-way adjoining 1702 Keosauqua Way to Spectrum Resource Program, \$2,165, (5-20-13). Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: May 17, 1982

Roll Call Number: 82-2061

Action: On vacation of 17<sup>th</sup> Street right-of-way lying south of the south right-of-way line of Keosauqua Way. Ordinance No. 10,125.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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