

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	April 7, 2014
	<b>Agenda Item No.</b>	<b>37</b>
	<b>Roll Call No.</b>	<b><u>14-0557</u></b>
	<b>Communication No.</b>	<b><u>14-141</u></b>
	<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of a dead-end segment of east/west alley right-of-way adjoining the property located at 2125 High Street to Freedom Financial Bank for \$2,400.

**SYNOPSIS:**

Recommend approval for vacation and conveyance of such property to Freedom Financial Bank, Jeff Payne, President, 1255 Jordan Creek Parkway, West Des Moines, Iowa, 50266-2344, for \$2,400, which price reflects the restricted use fair market value of the City right-of-way as currently estimated by the City’s Real Estate Division. 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.

**FISCAL IMPACT:**

Amount: \$2,400 (Revenue)

Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

**ADDITIONAL INFORMATION:**

On February 24, 2014, by Roll Call No.14-0278, the City Council adopted a recommendation from the City Plan and Zoning Commission to vacate and convey a dead-end segment of east/west alley in the vicinity of 2125 High Street subject to reservation of an easement for continued use and maintenance of all public utilities now in place, and subject to reservation of an access easement for public vehicular access across the City right-of-way to be conveyed, which easement provides continuous public vehicular access across buyers property through their parking lot to Woodland Avenue. Both easements will be incorporated, in a form approved by the City, as reservations in or attached to the quit claim deed granting the right-of-way to Freedom Financial Bank.

Freedom Financial Bank is the owner of property at 2125 High Street and has agreed to purchase the east/west alley right-of-way that adjoins their property for \$2,400. The property to be conveyed consists of approximately 800 square feet, and the purchase price of \$2,400 is equal to the estimated restricted use fair market value of the property as determined by the City’s Real Estate Division.



**PREVIOUS COUNCIL ACTION(S):**

Date: March 24, 2014

Roll Call Number: [14-0478](#)

Action: [On](#) vacation and conveyance of the dead-end segment of east/west alley right-of-way in the vicinity of 2125 High Street, to Freedom Financial Bank, \$2,400, (4-7-14). Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 24, 2014

Roll Call Number: [14-0278](#)

Action: [Regarding](#) request from Freedom Financial Bank for vacation of dead-end segment of the east/west alley in the vicinity of 2125 High Street, subject to provision of easements for existing utilities. 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: February 6, 2014

Resolution Number: 11-2013-1.19

Action: [Recommend](#) approval of the proposed vacation of alley right-of-way subject to the provision of easements for any existing utilities.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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