

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	April 21, 2014
	Agenda Item No.	52
	Roll Call No.	<u>14-0644</u>
	Communication No.	<u>14-159</u>
	Submitted by:	Matthew A. Anderson, Assistant City Manager; Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation and conveyance of the remaining segment of east/west alley right-of-way adjoining 306 East 3rd Street to 201 East Locust, LLC for \$31,000.

SYNOPSIS:

Recommend approval for vacation and conveyance of the remaining segment of east/west alley right-of-way adjoining 306 East 3rd Street to 201 East Locust, LLC (Troy Hansen, Officer, 5665 Greendale Road, Suite A, Johnston, Iowa, 50131-1592) for \$31,000. 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 buyer will use it for assemblage with adjoining property for development of a 120 room hotel, 104 market-rate residential units, and a minimum of 236 space parking garage.

FISCAL IMPACT:

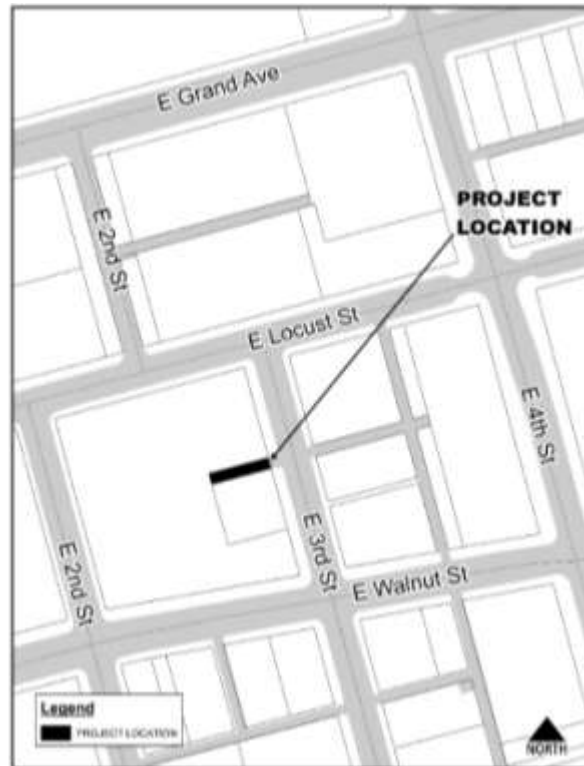
Amount: \$31,000

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

ADDITIONAL INFORMATION:

On March 9, 2009, by Roll Call No. 09-0379, the City Council received the recommendation from the City Plan and Zoning Commission that the East/West alley right-of-way between East Locust Street and East Walnut Street, running 88 feet west of East 3rd Street, be vacated and sold subject to provision of easements for any existing utilities.

201 East Locust, LLC, is the owner of the real property abutting the alley right-of-way and has offered to the City the purchase price of \$31,000 for the vacation and purchase the right-of-way for incorporation into the adjoining parcel and to allow for redevelopment of the larger parcel. The property to be conveyed consists of approximately 1,408-square-feet, and the purchase price of \$31,000 is equal to the estimated fair market value of the property as determined by the City’s Real Estate Division. Closing on the conveyance of the property is subject to City’s approval of an approved site plan, design and buyer’s demonstration that financing has been secured to allow project to proceed.

**PREVIOUS COUNCIL ACTION(S):**

Date: April 7, 2014

Roll Call Number: [14-0542](#)

Action: [On](#) vacation and conveyance of the remaining segment of east/west alley right-of-way adjoining 306 East 3rd Street to 201 East Locust, LLC, \$31,000, (4-21-14). Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: February 10, 2014

Roll Call Number: [14-0241](#)

Action: [Approving](#) preliminary terms of agreement with 201 East Locust, LLC for a \$45 million project constructing a 120 room hotel, 104 market-rate residential units and a minimum of 236 space parking garage at 201 East Locust Street. ([Council Communication No. 14-057](#)) Moved by Voss to receive, file and approve the preliminary terms of agreement as set forth in Council Communication No. 14-057, and to direct the City Manager to proceed with negotiation of a formal agreement with 201 East Locust, LLC, consistent with the terms set forth in [Council Communication No. 14-057](#). Motion Carried 7-0.

Date: March 9, 2009

Roll Call Number: [09-379](#)

Action: [Regarding](#) vacation of a segment of east/west alley between East Locust and East Walnut Streets running 88 feet west of East 3rd Street. Moved by Vlassis 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 19, 2009

Resolution Number: 11-2009-1.01

Action: Recommend approval of the vacation of a segment of east/west alley right-of-way between East Locust Street and East Walnut Street, running 88 feet west of East 3rd Street.

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.