 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	September 8, 2014
	Agenda Item No.	38
	Roll Call No.	<u>14-1396</u>
	Communication No.	<u>14-439</u>
	Submitted by:	Pamela S. Cooksey, P.E., Interim City Engineer

AGENDA HEADING:

Hold hearing for the vacation and conveyance of segments of 24th Street, 24th Drive and Washington Avenue in the vicinity of 1620 24th Street, and the conveyance of a portion of vacated 24th Place adjacent to 1620 24th Street, to Erich J. Riesenbergs Living Trust for \$1,200.

SYNOPSIS:

Recommend approval of the vacation and conveyance of segments of 24th Street, 24th Drive and Washington Avenue in the vicinity of 1620 24th Street, and the conveyance of a portion of vacated 24th Place adjacent to 1620 24th Street, to Erich J. Riesenbergs Living Trust for \$1,200. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. The City's conveyance of this property will allow the buyer to incorporate the vacated right-of-way into the existing residential parcels. There is no current or anticipated public need or benefit for this property, and this conveyance will eliminate future maintenance and liability costs for the City and will return the property to the tax rolls.

FISCAL IMPACT:

Amount: \$1,200 (Revenue)

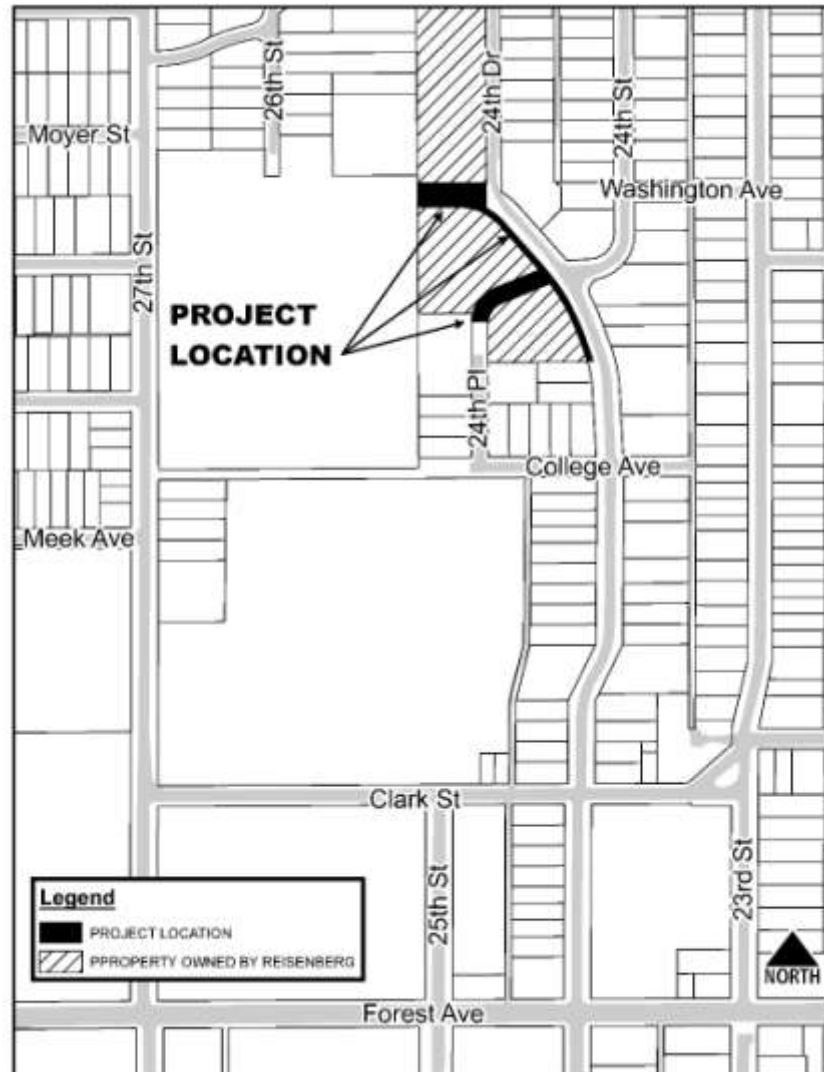
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090

ADDITIONAL INFORMATION:

On March 28, 2005, by Roll Call Nos. 05-770 and 05-772, City Council passed Ordinance No. 14,426 vacating an undeveloped segment of 24th Place between a point 330 feet north of College Avenue and 24th Street, subject to reservation of an easement upon the property for continued use and maintenance of any utilities in place and right-of-entry for servicing same, and further approved the sale of said vacated right-of-way to Edward J. Lint for \$400, which sale was thereafter not completed.

On July 28, 2014, by Roll Call No. 14-1134, City Council received a recommendation from the City Plan and Zoning Commission that segments of City right-of-way in the vicinity of 1620 24th Street be vacated subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated.

Erich J. Riesenber, Trustee of the Erich J. Riesenber Living Trust, is the owner of 1620 24th Street and has agreed to purchase segments of 24th Street, 24th Drive, Washington Avenue and 24th Place right-of-way adjoining his property for \$1,200. The property to be conveyed consists of approximately 25,226 square feet, and the purchase price of \$1,200 is equal to the estimated fair market value of the property as determined by the City's Real Estate Division. There is no current or anticipated public need for this property, and the City's conveyance of this property will allow the buyer to assemble the vacated right-of-way with existing residential parcels.



PREVIOUS COUNCIL ACTION(S):

Date: August 25, 2014

Roll Call Number: [14-1289](#)

Action: [On](#) vacation and conveyance of a portion of 24th Street, 24th Drive and Washington Street right-of-way and the conveyance of a portion of vacated 24th Place adjacent to 1620 24th Street to Erich Riesenber, \$1,200, (9-8-14). Moved by Hensley to adopt. Motion Carried 7-0.

Date: July 28, 2014

Roll Call Number: [14-1134](#)

Action: [Regarding](#) request from Erich J. Riesenber Living Trust, 1620 24th Street, for the vacation of segments of right-of-way in the vicinity of 1620 24th Street, subject to conditions. Moved by Mahaffey to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

Date: March 28, 2005

Roll Call Number: 05-770

Action: On vacation and sale of a segment of 24th Place between College Avenue and 24th Street, to Edward J. Lint, \$400. ([Council Communication No. 05-175](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: March 28, 2005

Roll Call Number: 05-772

Action: Final consideration of ordinance above. Moved by Vlassis that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,426](#). Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: July 17, 2014

Resolution Number: 11-2014-1.04

Action: [Recommend](#) approval of the request to vacate a portion of 24th Street, 24th Drive and Washington Street right-of-way subject to the reservation of any necessary easements for all existing public utilities until such time that they become abandoned or relocated.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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