

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	October 6, 2014
	Agenda Item No.	30
	Roll Call No.	<u>14-1580</u>
	Communication No.	<u>14-482</u>
	Submitted by:	Pamela S. Cooksey, P.E., Interim City Engineer

AGENDA HEADING:

Hold hearing for the vacation and conveyance of a dead-end segment of east/west alley right-of-way adjoining 1204 Hartford Avenue to RJS Properties, LLC for \$25, and the conveyance of a segment of east/west alley right-of-way adjoining 916 and 920 Hartford Avenue to Easter Lake Estates, Inc. for \$75.

SYNOPSIS:

Recommend approval of the vacation and conveyance of a dead-end segment of east/west alley right-of-way adjoining 1204 Hartford Avenue to RJS Properties, LLC, 1204 Hartford Ave., Building C, Apartment 27, Des Moines, Iowa, 50315, for \$25, and the conveyance of a segment of east/west alley right-of-way adjoining 916 and 920 Hartford Avenue to Easter Lake Estates, Inc., 1204 Hartford Ave., Building C, Apartment 27, Des Moines, Iowa, 50315, for \$75. 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 buyers to incorporate the vacated alley right-of-way into their 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: \$100 (Revenue)

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

ADDITIONAL INFORMATION:

On March 3, 1975, by Roll Call No. 1018, City Council adopted a recommendation from the City Plan and Zoning Commission approving a request for the vacation and conveyance of various street and alley rights-of-way in the vicinity of SE 10th Street and Hillside Avenue, including the portions thereof adjoining 920 Hartford Avenue and 1204 Hartford Avenue, subject to an easement for storm water drainage through the north-south and east-west right-of-way.

On November 17, 1975, by Roll Call No. 5167, City Council approved and adopted Ordinance No. 9002 vacating the street and alley rights-of-way in the vicinity of SE 10th Street and Hillside Avenue, including the portions thereof adjoining 920 Hartford Avenue and 1204 Hartford Avenue, (except the

south eight (8) feet of alley right-of-way lying north of and adjoining Lot 12, Valentine, an Official Plat) subject to the reservation of easements for all public utilities then in place and reservation of right of entry for servicing same.

On June 20, 1983, by Roll Call No. 2831, City Council adopted a recommendation from the City Plan and Zoning Commission approving a request for the vacation and conveyance of the east/west alley right-of-way in the vicinity of SE 9th Street and Hillside Avenue, including portions thereof adjoining 916 Hartford Avenue, subject to the reservation of easements for any existing utilities.

On October 17, 1983, by Roll Call No. 4972, City Council approved and adopted Ordinance No. 10,375 vacating the east/west alley right-of-way in the vicinity of SE 9th Street and Hillside Avenue, including the portions thereof adjoining 916 Hartford Avenue, subject to the reservation of easements for all public utilities then in place with right of entry for servicing same.

RJS Properties, LLC, owner of 1204 Hartford Avenue, and Easter Lake Estates, Inc., owner of 916 and 920 Hartford Avenue, have each agreed to purchase the remaining dead-end segments of alley right-of-way adjoining their respective properties for a total price of \$100. The property to be conveyed consists of approximately 1,200-square-feet, and the purchase price of \$100 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: September 22, 2014

Roll Call Number: [14-1463](#)

Action: On vacation and conveyance of a segment of east/west alley right-of-way adjoining 1204 Hartford Avenue to RJS Properties, LLC, \$25 and the conveyance of a segment of east/west alley right-of-way adjoining 916 and 920 Hartford Avenue to Easter Lake Estates, Inc., \$75, (10-6-14). Moved by Coleman to adopt. Motion Carried 7-0.

Date: October 17, 1983

Roll Call Number: 4972

Action: Approval and adoption of Ordinance No. 10,375 vacating the east/west alley right-of-way in the vicinity of SE 9th Street and Hillside Avenue, subject to the reservation of easements for all public utilities then in place and right of entry for servicing same.

Date: June 20, 1983

Roll Call Number: 2831

Action: Regarding a request for the vacation and conveyance of the east/west alley right-of-way in the vicinity of SE 9th Street and Hillside, subject to the reservation of easements for all public utilities then in place and right of entry for servicing same.

Date: November 17, 1975

Roll Call Number: 5167

Action: Approval and adoption of Ordinance No. 9002 vacating the street and alley rights-of-way in the vicinity of SE 10th Street and Hillside Avenue (except the south 8 feet of alley right-of-way lying north of and adjoining Lot 12, Valentine, an Official Plat), subject to the reservation of easements for all public utilities then in place and reservation of right of entry for servicing same.

Date: March 3, 1975

Roll Call Number: 1018

Action: Regarding a request for the vacation and conveyance of various street and alley rights-of-way in the vicinity of SE 10th Street and Hillside Avenue, subject to an easement for storm water drainage through the north-south and east-west right-of-way.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: June 2, 1983

Resolution Number: N/A

Action: Recommend approval of the request from April Dorsett, for vacation and conveyance of the east/west alley right-of-way in the vicinity of SE 9th Street and Hillside Avenue, subject to the retention of easements for any existing utilities.

Board: Plan and Zoning Commission

Date: February 20, 1975

Resolution Number: N/A

Action: Recommend approval of the request for the vacation and conveyance of various street and alley rights-of-way in the vicinity of SE 10th Street and Hillside Avenue, subject to an easement for storm water drainage through the north-south and east-west right-of-way.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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