 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	November 3, 2014
	Agenda Item No.	43
	Roll Call No.	<u>14-1737</u>
	Communication No.	<u>14-520</u>
	Submitted by:	Pamela S. Cooksey, P.E., Interim City Engineer

AGENDA HEADING:

Hold hearing for vacation and conveyance of portions of Maury Street and alley right-of-way adjoining 724 SE 14th Street to Jordan Flatt for \$8,750.

SYNOPSIS:

Recommend approval of the vacation and conveyance of portions of Maury Street and alley right-of-way adjoining 724 SE 14th Street to Jordan Flatt for \$8,750. 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 adjacent parcels. There is no current or anticipated public need 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: \$8,750 (Revenue)

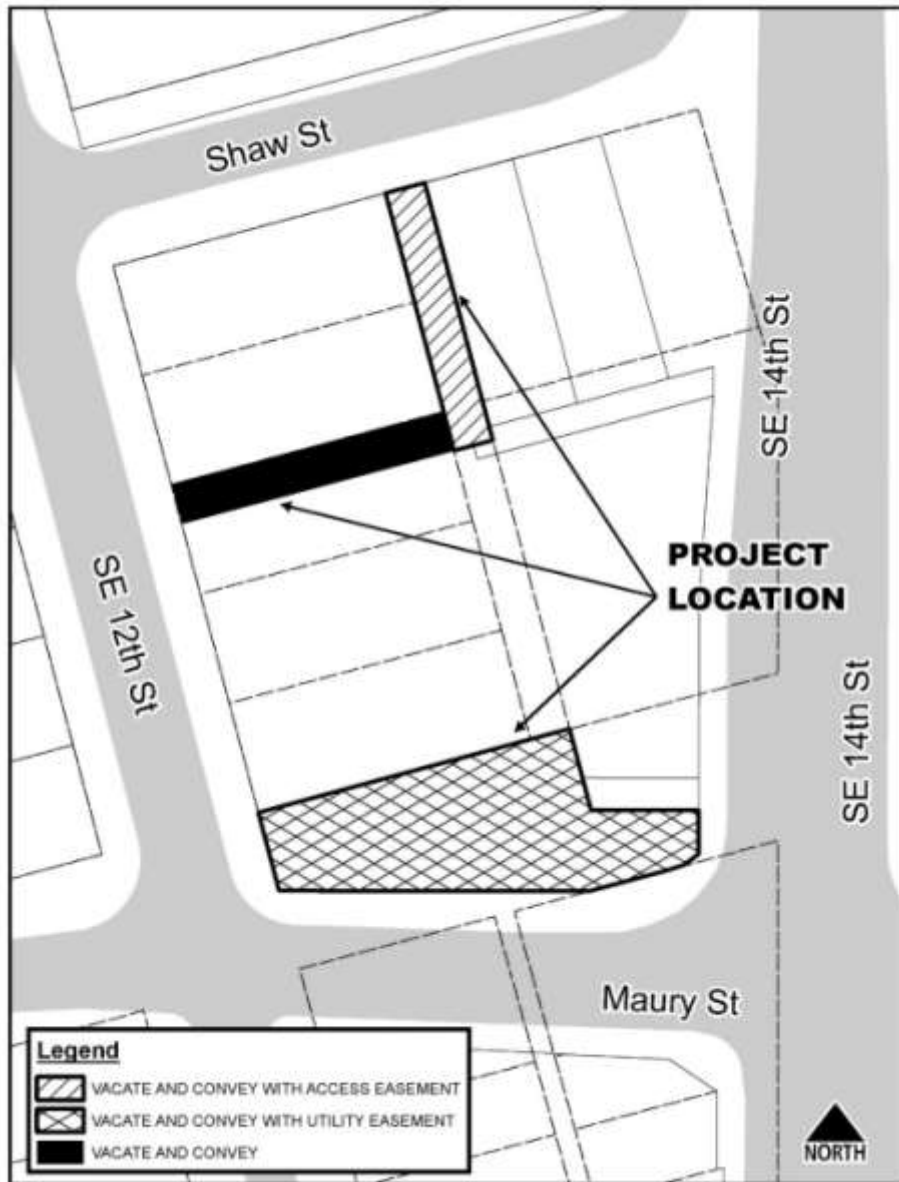
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

On August 23, 2004, by Roll Call No. 04-1766, City Council received a recommendation from the City Plan and Zoning Commission approving a request from Jay Flatt, d/b/a Flatt Tire Center, that the alley and street right-of-way adjoining 724 East 14th Street be vacated and conveyed, subject to the reservation of various easements for utilities in place and an easement for continued access to other adjoining private property. However, the City and Jay Flatt were unable to reach a mutual agreement on the terms of the purchase in 2004, so the vacation and conveyance was put on hold.

In September 2014, Jordan Flatt, the current owner of 724 East 14th Street, contacted the City to express his interest in purchasing the above right-of-way adjoining his property. The City’s Real Estate Division has negotiated a purchase agreement with Jordan Flatt for a purchase price of \$8,750, subject to the following conditions: 1) reservation of a no-build easement; 2) reservation of an access easement across the north/south alley right-of-way; and 3) reservation of an easement for all existing utilities in place until such time as they are relocated at buyer’s expense. The purchase price of \$8,750 is equal to the estimated restricted-use fair market value of the encumbered property as determined by the City’s Real Estate Division.

The property to be conveyed consists of approximately 16,140-square-feet. There is no current or anticipated public need for this property and the City's conveyance will allow the buyer to assemble the vacated right-of-way with his adjoining property. Jordan Flatt does not have a development plan at this time, but any reuse of the property being conveyed by the City is subject to approval of a site plan by the Permit and Development Center, and subject to removal of the no-build and access easements by paying the balance of the unrestricted fair market value of \$42,150.



PREVIOUS COUNCIL ACTION(S):

Date: October 20, 2014

Roll Call Number: [14-1626](#)

Action: On vacation and conveyance of portions of Maury Street and alley right-of-way adjoining 724 SE 14th Street to Jordan Flatt, for \$8,750, (11-3-14). Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 23, 2004

Roll Call Number: 04-1766

Action: Regarding request from Jay Flatt (Flatt Tire Center), 724 SE 14th Street, for vacation and conveyance of right-of-way along the north side of Maury Street between SE 12th and SE 14th Streets, the east/west alley running east of SE 12th Street between Shaw Street and Maury Streets and the north/south alley running south from Shaw Street between SE 12th and SE 14th Streets. Moved by Brooks to adopt and to refer to the City Manager to implement. Motion Carried 6-1. Absent: Hensley.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: August 5, 2004

Resolution Number: 11-2004-1.12

Action: Recommend approval of a request from Jay Flatt (Owner) 724 SE 14th Street, d/b/a Flatt Tire Center for vacation and conveyance of right-of-way along the north side of Maury Street between SE 12th and SE 14th Streets, the east/west alley running east of SE 12th Street between Shaw Street and Maury Streets and the north/south alley running south from Shaw Street between SE 12th and SE 14th Streets.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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