

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	March 23, 2015
	<b>Agenda Item No.</b>	<b>48</b>
	<b>Roll Call No.</b>	<b><u>15-538</u></b>
	<b>Communication No.</b>	<b><u>15-145</u></b>
	<b>Submitted by:</b>	<b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of the east/west alley right-of-way in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street to Forest Avenue Outreach for \$150.

**SYNOPSIS:**

Recommend approval of the vacation and conveyance the east/west alley right-of-way in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street to Forest Avenue Outreach, Ralph Chiodo II, President, P.O. Box 41271, Des Moines, Iowa, 50311, for \$150.

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 it into the adjoining property in order to provide driveway access via the south end of 334 Forest Avenue. This is an undeveloped alley and 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: \$150 (Revenue)

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

**ADDITIONAL INFORMATION:**

On December 8, 2014, by Roll Call No. 14-1887, the City Council referred a request for vacation of the east-west alley right-of-way in the vicinity of 334 Forest Avenue to the Community Development Department and Plan and Zoning Commission for review and recommendation as a City-initiated vacation request.

On January 26, 2015, by Roll Call No. 15-0101, City Council adopted a recommendation from the City Plan and Zoning Commission approving the request for the vacation of the east-west alley right-of-way in the vicinity of 334 Forest Avenue, subject to the reservation of easements for all existing utilities in place until such time as they are relocated.

Forest Avenue Outreach, Ralph Chiodo II, President, is the owner of 334 Forest Avenue and has offered to the City of Des Moines the total purchase price of \$150 for the purchase of the vacated alley

right-of-way for incorporation into the adjoining property at 334 Forest Avenue. The property to be conveyed consists of approximately 2,005-square-feet, and the purchase price of \$150 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 have driveway access to the south end of its property.



**PREVIOUS COUNCIL ACTION(S):**

Date: March 9, 2015

Roll Call Number: [15-0835](#)

Action: [On](#) vacation and conveyance of east/west alley right-of-way in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street to Forest Avenue Outreach, \$150, (3-23-15). Moved by Gatto to adopt. Motion Carried 7-0.

Date: January 26, 2015

Roll Call Number: [15-0101](#)

Action: [Regarding](#) City-initiated request to vacate east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street, in the vicinity of 334 Forest Avenue. Moved by Hensley to receive and file the communication from the Plan and Zoning Commission. Motion Carried 7-0.

Date: December 8, 2014

Roll Call Number: [14-1887](#)

Action: [From](#) Council Member Bill Gray regarding City-initiated request to vacate the east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3<sup>rd</sup> Street and 4<sup>th</sup> Street in the vicinity of 334 Forest Avenue. ([Council Communication No. 14-576](#)) Moved by Gray to receive and file Council Communication No. 14-576, and to refer the request to vacate the east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3<sup>rd</sup> Street and 4<sup>th</sup> Street in the vicinity of 334 Forest Avenue to the Community Development Department and Plan and Zoning Commission for review and recommendation as a City-initiated vacation request. Motion Carried 7-0.

#### **BOARD/COMMISSION ACTION(S):**

Board: Plan and Zoning Commission

Date: January 15, 2015

Resolution Number: 11-2014-1.17

Action: [Recommend](#) approval of the City-initiated request to vacate the east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street, and 4th Street, in the vicinity of 334 Forest Avenue.

#### **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](mailto:cityclerk@dmgov.org).