

 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date:</b>	September 28, 2015
	<b>Agenda Item No.</b>	<b>49</b>
	<b>Roll Call No.</b>	<b><u>15-1635</u></b>
	<b>Communication No.</b>	<b><u>15-502</u></b>
	<b>Submitted by:</b>	<b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of a portion of the east/west alley between Franklin Avenue and Allison Avenue, east of 18th Street, to Simon Rojas for \$50.

**SYNOPSIS:**

Recommend approval of the vacation and conveyance of a portion of the east/west alley between Franklin Avenue and Allison Avenue, east of 18th Street, to Simon Rojas (1619 Franklin Avenue, Des Moines, Iowa, 50314) for \$50.

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 his adjoining residential property. 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: \$50 (Revenue)

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

**ADDITIONAL INFORMATION:**

On August 24, 2015, by Roll Call No. 15-1425, City Council adopted a recommendation from the City Plan and Zoning Commission approving a request from Simon Rojas for the vacation of the dead-end east/west alley segment between Franklin Avenue and Allison Avenue from a point, 300 feet east of 18th Street, to a point, 250 feet east of 18th Street, subject to the provision of any necessary easements for all existing utilities until such time as they are abandoned or relocated.

Simon Rojas, owner of 1619 Franklin Avenue, has offered to the City of Des Moines the purchase price of \$50 for the purchase of the portion of the vacated alley right-of-way adjoining his property. The property to be conveyed consists of approximately 800-square-feet, and the purchase price of \$50 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 eliminate future maintenance and liability costs for the City, will return this property to the tax rolls, and will allow the buyer to control access to the rear of his property.

**PREVIOUS COUNCIL ACTION(S):**

Date: September 14, 2015

Roll Call Number: [15-1508](#)

Action: [On](#) vacation and conveyance of a portion of the east/west alley between Franklin Avenue and Allison Avenue, east of 18th Street to Simon Rojas, \$50, (9-28-15).

Date: August 24, 2015

Roll Call Number: [15-1425](#)

Action: [Regarding](#) vacation of the dead-end east/west alley segment between Franklin Avenue and Allison Avenue from a point, 300 feet east of 18th Street, to a point, 250 feet east of 18th Street, subject to conditions. Moved by Hensley to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

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

Board: Plan and Zoning Commission

Date: August 6, 2015

Resolution Number: 11-2015-1.11

Action: Recommend approval of the requested vacation of a portion of the east/west alley between Franklin Avenue and Allison Avenue, subject to the provision of any necessary easements for all existing utilities until such time as they are abandoned or relocated.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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