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|  <p style="text-align: center;"><b>Council<br/>Communication</b><br/>Office of the City Manager</p> | <b>Date:</b>             | October 12, 2015                                  |
|  | <b>Agenda Item No.</b>   | <b>52</b>   |
|  | <b>Roll Call No.</b>     | <b><u>15-1732</u></b>                             |
|  | <b>Communication No.</b> | <b><u>15-534</u></b>                              |
|  | <b>Submitted by:</b>     | <b>Pamela S. Cooksey,<br/>P.E., City Engineer</b> |

**AGENDA HEADING:**

Hold hearing for the proposed conveyance of alley rights-of-way adjoining 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street to Confluence on Third, L.L.C. for multi-family residential housing project.

**SYNOPSIS:**

Recommend approval of the conveyance of the alley rights-of-way adjoining 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street to Confluence on Third, L.L.C., c/o Roers Investments LLC, Brian Roers, Owner, 1964 W Wayzata Boulevard, Suite 200, Long Lake, MN 55356, for \$280,000. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. The sale of these alley rights-of-way will allow Confluence on Third, L.L.C., and owner of the adjoining properties, to incorporate the alley rights-of-way into its adjoining parcels for assemblage for redevelopment with a 211-unit, market-rate, and multi-family residential housing project. There is no current or anticipated public need or benefit for the right-of-way to be conveyed.

**FISCAL IMPACT:**

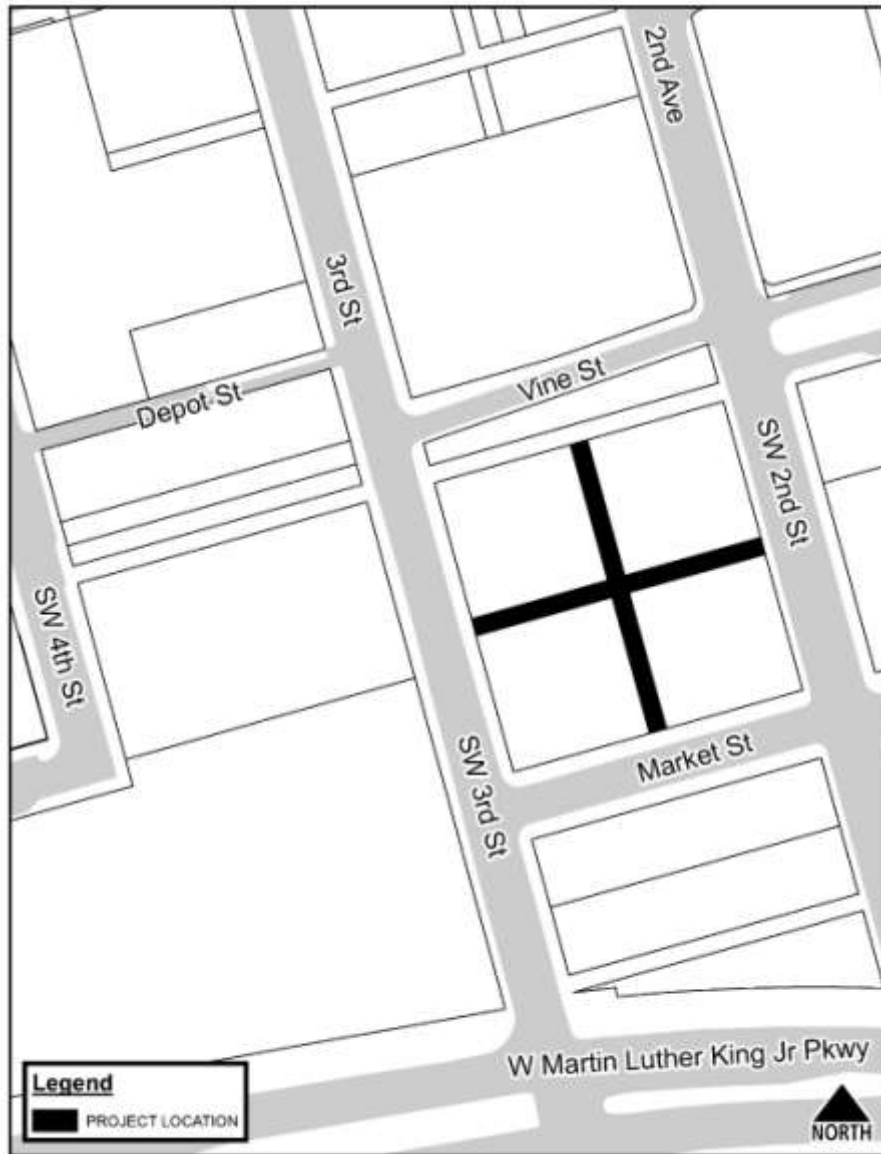
Amount: \$280,000 (Revenue). Subject to the associated Urban Renewal Development Agreement action also on the October 12, 2015 agenda, the \$280,000 will be granted back to the developer as part of the recommended economic development incentive package.

Funding Source: 2015-16 Operating Budget, City Manager, Page 39, Special Revenue and Other Funds, Economic Development Enterprise Fund, S743.

**ADDITIONAL INFORMATION:**

On June 15, 1992, by Roll Call No. 92-2205, City Council adopted Ordinance No. 11,835, vacating all of the north/south and east/west alley rights-of-way in Block 29, Fort Des Moines, including those portions adjoining 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street.

Confluence on Third, L.L.C., owner of the adjoining properties at 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street, has offered to purchase the north/south and east/west alley rights-of-way for \$280,000. The property to be conveyed consists of approximately 9,041-square-feet, and the purchase price of \$280,000 reflects the fair market value of the property as established by an independent appraisal. There is no current or anticipated public need for this property and the City’s conveyance of the vacated rights-of-way will allow the buyer to assemble the adjoining properties for re-development with a 211-unit, market-rate, and multi-family residential housing project.



**PREVIOUS COUNCIL ACTION(S):**

Date: September 28, 2015

Roll Call Number: [15-1607](#)

Action: [On](#) the proposed conveyance of alley rights-of-way adjoining 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street to Confluence on Third LLC for a 211 unit market-rate multi-family residential housing project, \$280,000, (10-12-15). Moved by Hensley to adopt. Motion Carried 7-0.

Date: June 5, 1992

Roll Call Number: 92-2205

Action: Adoption of Ordinance No. 11,835 vacating all of the north/south and east/west alley right-of-way in Block 29, Fort Des Moines.

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

Board: Plan and Zoning Commission

Date: February 21, 1991

Resolution Number: 11-91-1.10

Action: Recommend approval of a request from Des Moines Iron Company for the vacation and lease of the rights-of-way of the east/west and north/south alleys in the vicinity of SW 3rd and Market Streets.

**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).