 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	November 23, 2015
	Agenda Item No.	52
	Roll Call No.	<u>15-2003</u>
	Communication No.	<u>15-621</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of a portion of the east/west alley right-of-way located south of and adjoining 1200 through 1214 Oak Park Avenue and conveyance to Donna J. Peterson and Pamela A. Hayes for \$50.00, to Kent and Christine Schnell (Contract Sellers) and Bryan K. Schnell (Contract Buyer) for \$50.00, and to Jared M. Johnson for \$50.00.

SYNOPSIS:

Recommend approval of the vacation of a portion of the east/west alley right-of-way located south of and adjoining 1200 through 1214 Oak Park Avenue and conveyance to Donna J. Peterson and Pamela A. Hayes, 1206 Oak Park Avenue for \$50.00, to Kent and Christine Schnell (Contract Sellers) and Bryan K. Schnell (Contract Buyer), 1210 Oak Park Avenue for \$50.00, and to Jared M. Johnson, 1214 Oak Park Avenue for \$50.00.

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: \$150 (Revenue)

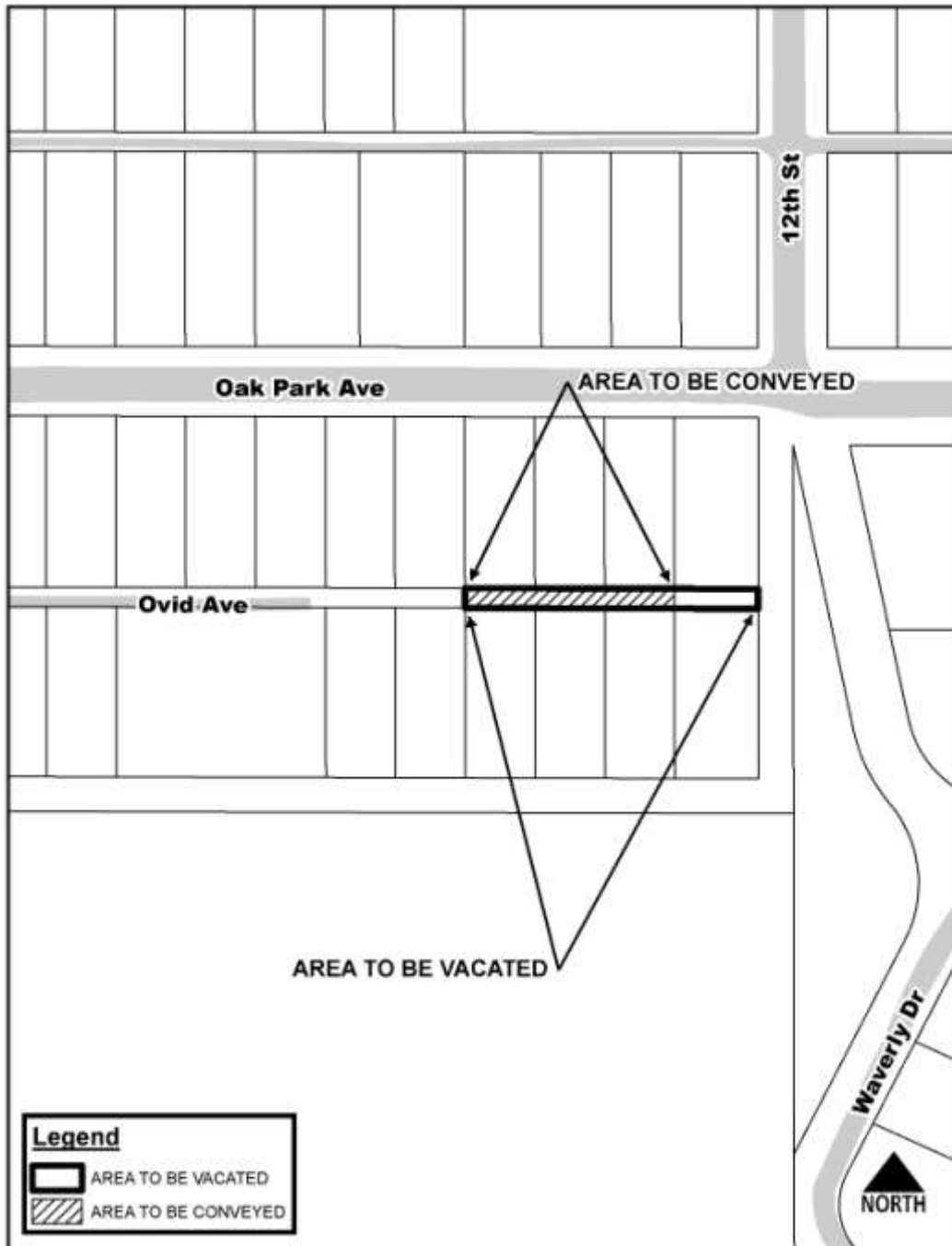
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090

ADDITIONAL INFORMATION:

At its meeting on November 5, 2015 the City Plan and Zoning Commission voted to approve a request from Bryan K. Schnell to vacate a segment of east/west alley right-of-way (known as Ovid Avenue) from 12th Street to a point 330.2 feet to the west so that he might acquire that portion of the alley adjoining his property at 1210 Oak Park Avenue, subject to reservation of any necessary easements for existing utilities.

Further discussions with City staff led to reducing the amount of alley right-of-way being vacated to 210 feet in order to continue to allow the owner of the property adjoining the alley to the south, 1305 Ovid Avenue, to have access to a detached garage.

Donna J. Peterson and Pamela A. Hayes, owner of 1206 Oak Park Avenue, Kent and Christine Schnell (Contract Sellers) and Bryan K. Schnell (Contract Buyer), 1210 Oak Park Avenue, and Jared M. Johnson, 1214 Oak Park Avenue, have agreed to purchase the segments of alley right-of-way adjoining their respective properties for a total price of \$150. The property to be conveyed consists of approximately 2,100-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 buyers to assemble the vacated right-of-way with existing residential parcels.



PREVIOUS COUNCIL ACTION(S):

Date: November 9, 2015

Roll Call Number: [15-1861](#)

Action: [On](#) vacation of a portion of the east/west alley right-of-way located south of and adjoining 1200-1214 Oak Park Avenue and conveyance to Donna Peterson and Pamela Hayes for \$50, to Kent and Christine Schnell and Bryan Schnell for \$50 and to Jared Johnson for \$50, (11-23-15). Moved by Gatto to adopt. Motion Carried 6-1. Absent: Coleman.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: November 5, 2015

Resolution Number: 11-2015-1.23

Action: Recommend approval of the request to vacate a segment of east/west alley right-of-way (known as Ovid Avenue) from 12th Street to a point 330.2 feet to the west, subject to reservation of any necessary easements for existing utilities.

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.