 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: July 25, 2016
	Agenda Item No. 55 Roll Call No. <u>16-1247</u> Communication No. <u>16-410</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation and conveyance of a portion of east/west alley right-of-way located south of and adjoining 810 26th Street to Rally Cap Properties, LLC for \$100.

SYNOPSIS:

Recommend approval of the vacation and conveyance of a portion of east/west alley right-of-way located south of and adjoining 810 26th Street to Rally Cap Properties, LLC, Ryan Francois, Manager, 2643 Beaver Avenue, #349, Des Moines, Iowa, 50310, for \$100.

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 mitigate existing gravel driveway and garage encroachments into the alley right-of-way. 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:

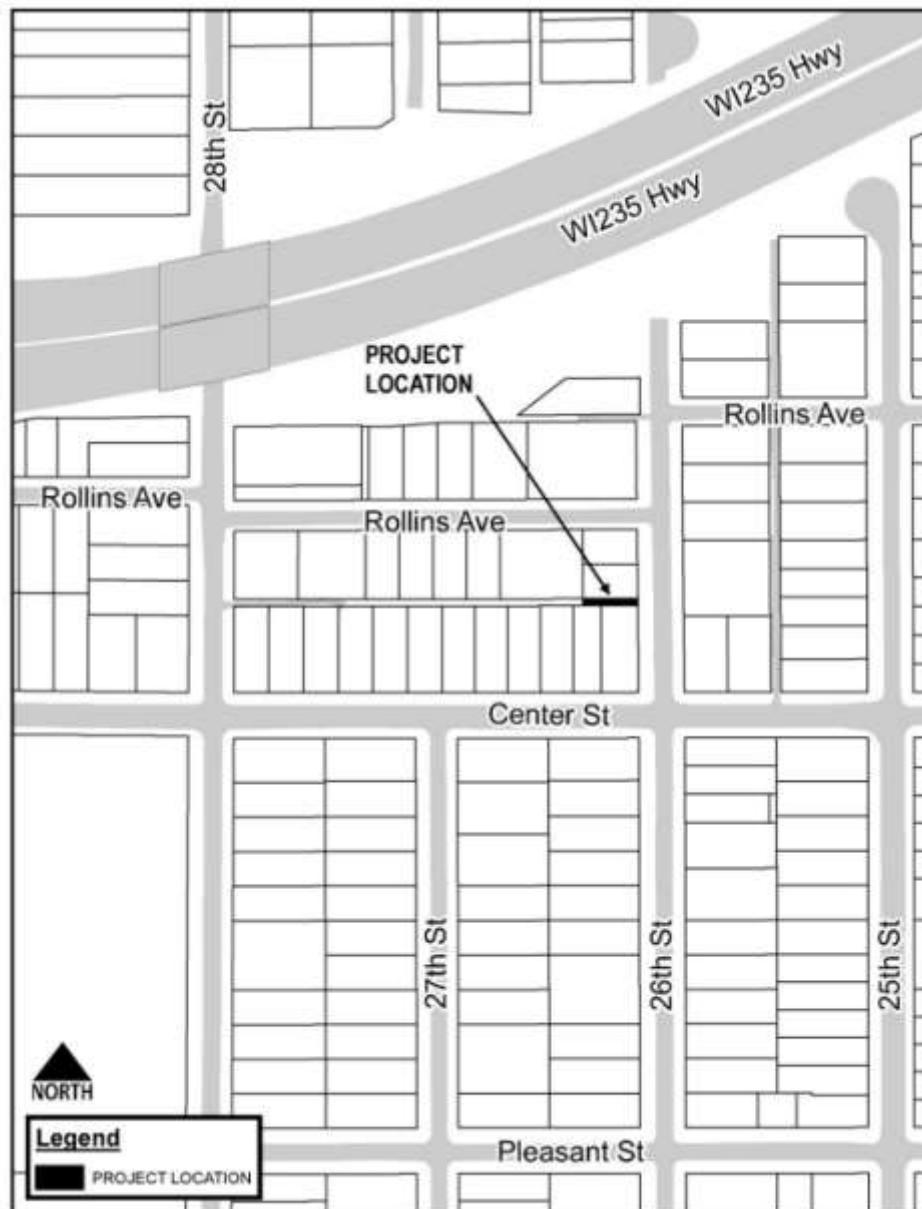
Amount: \$100 (Revenue)

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

ADDITIONAL INFORMATION:

- On June 13, 2016, by Roll Call No. 16-0939, the City Council of the City of Des Moines, Iowa, received and filed a recommendation from the City Plan and Zoning Commission recommending approval of a request for the vacation of the east/west alley right-of-way located south of and adjoining 810 26th Street, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated.
- Rally Cap Properties, LLC, the owner of 810 26th Street, has offered to the City the purchase price of \$100 for the purchase of the east/west alley right-of-way located south of and adjoining 810 26th Street in order to mitigate existing gravel driveway and garage encroachments into the alley right-of-way.
- The property to be conveyed consists of approximately 794 square feet, and the purchase price of \$100 is equal to the fair market value of the property as determined by the City’s Real Estate

Division. 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.



PREVIOUS COUNCIL ACTION(S):

Date: July 11, 2016

Roll Call Number: [16-1116](#)

Action: [On](#) vacation and conveyance of a portion of east/west alley right-of-way located south of and adjoining 810 26th Street to Rally Cap Properties, LLC for incorporation into adjoining property in order to mitigate existing gravel driveway and garage encroachments, \$100, (7-25-16).

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: June 2, 2016

Resolution Number: 11-2016-1.12

Action: [Recommend](#) approval of a request from Rally Cap Properties, LLC (owner) for vacation of a segment of east/west alley adjoining 810 26th Street to allow for incorporation of the right-of-way into the adjoining property in order to mitigate existing gravel driveway and garage encroachments, subject to the reservation of easements for all existing utilities in place, until such time that they are abandoned or relocated.

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 Administration Building, 400 E. Court Avenue Ste.116. 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.