

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> July 25, 2016
	<b>Agenda Item No.</b> 54 <b>Roll Call No.</b> <u>16-1244</u> <b>Communication No.</b> <u>16-411</u> <b>Submitted by:</b> Pamela S. Cooksey, P.E., City Engineer

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of the east 4.5-feet of 9th Street right-of-way located west of and adjoining 1429 9th Street to Scott A. Slaughter and Todd D. Schroder for \$50.

**SYNOPSIS:**

Recommend approval of the vacation and conveyance of the east 4.5-feet of 9th Street right-of-way located west of and adjoining 1429 9th Street to Scott A. Slaughter and Todd D. Schroder, 1429 9th Street, 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 mitigate an existing fence encroachment into the 9th Street 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: \$50 (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. 16-0938, 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 4.5-feet of 9th Street right-of-way located west of and adjoining 1429 9th Street subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated.
- Scott A. Slaughter and Todd D. Schroder, the owners of 1429 9th Street, have offered to the City of Des Moines, Iowa the purchase price of \$50 for the purchase of the east 4.5-feet of 9th street right-of-way located west of and adjoining 1429 9th Street in order to mitigate an existing fence encroachment into the 9th Street right-of-way.
- The property to be conveyed consists of approximately 315 square feet, and the purchase price of \$50 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: [16-1117](#)

Action: [On](#) vacation and conveyance of the east 4.5-feet of 9th Street right-of-way located west of and adjoining 1429 9th Street to Scott A. Slaughter and Todd D. Schroder for incorporation into their property in order to eliminate an existing fence encroachment, \$50, (7-25-16).

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

Board: City Plan and Zoning Commission

Date: June 2, 2016

Resolution Number: 11-2016-1.11

Action: [Recommend](#) approval of a request from Scott Slaughter and Todd Schroder (owners) for vacation of the east 4.5-feet of 9th Street west of and adjoining 1429 9th Street in order to eliminate an existing fence encroachment, 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](mailto:cityclerk@dmgov.org).