 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date:</b>	November 7, 2016
	<b>Agenda Item No.</b>	<b>51</b>
	<b>Roll Call No.</b>	<b><u>16-1946</u></b>
	<b>Communication No.</b>	<b><u>16-634</u></b>
	<b>Submitted by:</b>	<b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation of a portion of alley right-of-way adjoining 1605 Woodland Avenue and conveyance of a permanent easement for building encroachment to Oyoram Visual Artist, L.L.C. for \$50.

**SYNOPSIS:**

Recommend approval of the vacation of a portion of alley right-of-way adjoining 1605 Woodland Avenue and conveyance of a Permanent Easement for Building Encroachment to Oyoram Visual Artist, L.L.C., Yorame Mevorach, Manager, 1605 Woodland Avenue, Des Moines, Iowa, 50309, for \$50.

This action is required by Iowa law prior to making a final determination on the proposed conveyance by resolution. The City’s conveyance of this Permanent Easement for Building Encroachment will allow the buyer to mitigate an existing garage and retaining wall encroachment into the alley right-of-way. The right-of-way proposed to be vacated has been determined by the City Engineer and City Traffic Engineer to have no significant impact on public access. There is no current or anticipated public need or benefit for this right-of-way to be vacated.

**FISCAL IMPACT:**

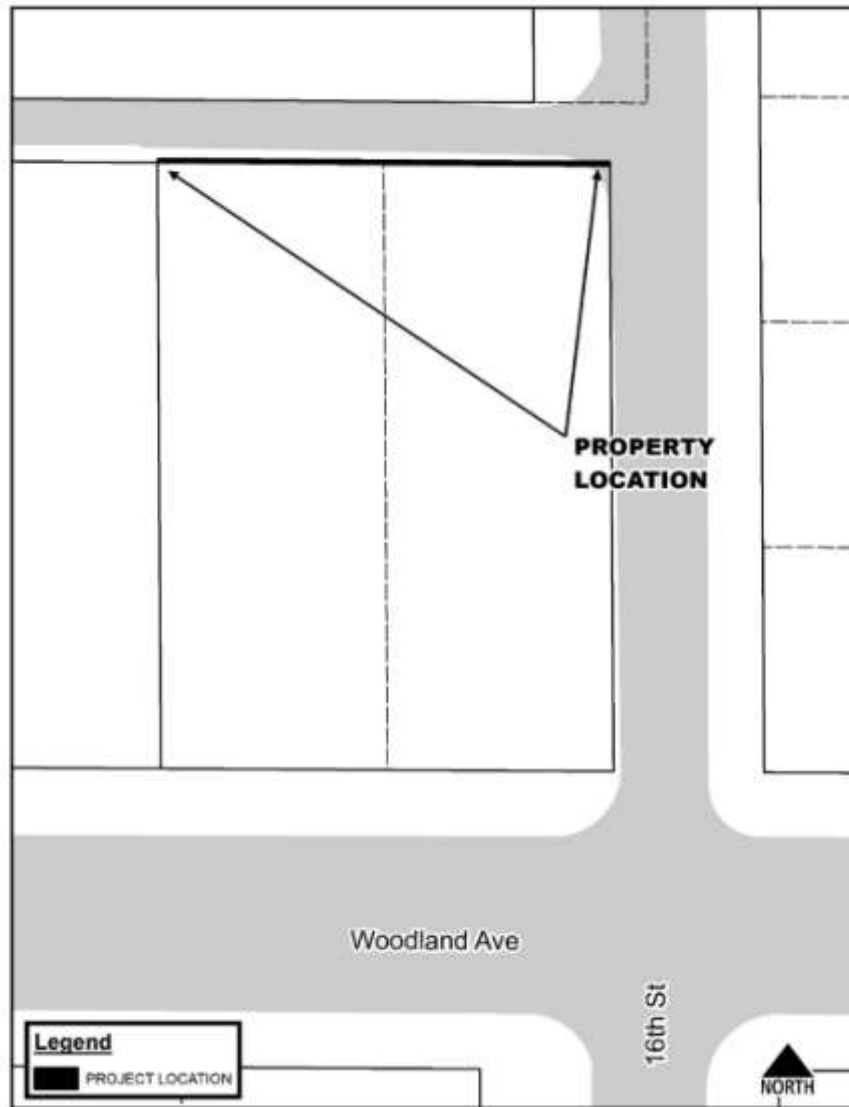
Amount: \$50 (Revenue)

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

**ADDITIONAL INFORMATION:**

- Oyoram Visual Artist, L.L.C., the owner of 1605 Woodland Avenue, has offered to the City of Des Moines, Iowa the purchase price of \$50 for the purchase of a Permanent Easement for Building Encroachment within a one (1) foot wide by 100 foot long portion of alley right-of-way located north of and adjoining 1605 Woodland Avenue in order to mitigate an existing garage and retaining wall encroachment into the alley right-of-way.
- The City Engineer and City Traffic Engineer have determined that the proposed vacation and conveyance will have no significant impact on public access, and the City will not be inconvenienced by the conveyance of a Permanent Easement for Building Encroachment in the portion of alley right-of-way.

- The property to be conveyed consists of 100 square feet, and the purchase price of \$50 is equal to the fair market value of the easement area as determined by the City's Real Estate Division. There is no current or anticipated public need for this right-of-way to be vacated.



**PREVIOUS COUNCIL ACTION(S):**

Date: October 24, 2016

Roll Call Number: [16-1816](#)

Action: [On](#) vacation of a portion of alley right-of-way adjoining 1605 Woodland Avenue and conveyance of a permanent easement for building encroachment to Oyoram Visual Artist, LLC, \$50, (11-7-16). Moved by Coleman to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**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).