

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> July 24, 2017
	<b>Agenda Item No.</b> <b>59</b> <b>Roll Call No.</b> <b><u>17-1286</u></b> <b>Communication No.</b> <b><u>17-552</u></b> <b>Submitted by:</b> <b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Hearing for vacation and conveyance of a dead-end segment of Southwest 19th Street adjoining 1821 Frazier Avenue to Larry J. Butler and Mary E. Butler for \$300.

**SYNOPSIS:**

Recommend approval of vacation and conveyance of a dead-end segment of Southwest 19th Street adjoining 1821 Frazier Avenue to Larry J. Butler and Mary E. Butler, 1821 Frazier Avenue, Des Moines, Iowa for \$300. This action is required by Iowa law prior to making a final determination the proposed sale by resolution.

The City’s conveyance of this property will allow the buyers to assemble it with their existing residential lot and will provide the buyers with ownership of an existing driveway that is used for access to their garage. 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 return the property to the tax rolls.

**FISCAL IMPACT:**

Amount: \$300 (Revenue)

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

**ADDITIONAL INFORMATION:**

- On June 12, 2017, by Roll Call No. 17-0969, the City Council of the City of Des Moines received and filed a recommendation from the City Plan and Zoning Commission to recommend approval of a request from Larry Butler for vacation of a dead-end segment of Southwest 19th Street adjoining 1821 Frazier Avenue, subject to reservation of easements for all utilities in place until such time that they are abandoned or are relocated.
- Larry J. Butler and Mary E. Butler have offered to the City of Des Moines the purchase price of \$300 for the purchase of the dead-end segment of Southwest 19th Street that adjoins their property at 1821 Frazier Avenue. The purchase is subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated and further subject to a no-build easement.

- The no-build easement can be lifted only after certain requirements are met, including payment to City of the fair market value of the property at the time of such release, and written release by the City.
- The property to be conveyed consists of approximately 5,915 square feet, and the purchase price of \$300 is equal to the estimated restricted-use fair market value of the property as determined by the City's Real Estate Division. There is no known current or anticipated public need or benefit for the right-of-way proposed to be vacated and sold.



**PREVIOUS COUNCIL ACTION(S):**

Date: July 10, 2017

Roll Call Number: [17-1156](#)

Action: [On](#) vacation and conveyance of a dead-end segment of SW 19th Street adjoining 1821 Frazier Avenue to Larry J. Butler and Mary E. Butler, \$300, (7-24-17). Moved by Hensley to adopt. Motion Carried 7-0.

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

Board: City Plan and Zoning Commission

Date: June 1, 2017

Resolution Number: 11-2017-1.06

Action: Recommend approval of the requested vacation subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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