

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	April 9, 2018
	Agenda Item No.	53
	Roll Call No.	<u>18-612</u>
	Communication No.	<u>18-180</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for approval of documents for vacation of a portion of Southeast 30th Street right-of-way adjoining 308 Southeast 30th Street and 244 Southeast 30th Street, and vacation of a segment of East Elm Street right-of-way adjoining 244 Southeast 30th Street, and conveyance to Sergio Colin for \$100 and to Manuel and Lisa Hernandez for \$225.

SYNOPSIS:

Recommend approval of the vacation of a portion of Southeast 30th Street right-of-way adjoining 308 Southeast 30th Street and 244 Southeast 30th Street and vacation of a segment of East Elm Street right-of-way adjoining 244 Southeast 30th Street, and conveyance to Sergio Colin, 1620 Arlington Avenue, Des Moines, IA 50314, for \$100; and conveyance to Manuel and Lisa Hernandez, 244 Southeast 30th Street, Des Moines, Iowa 50317 for \$225. All subject to the reservation of an easement for the continued use and maintenance of any utilities now in place and further subject to the City Zoning Board of Adjustment granting Mr. Colin relief from the City’s Zoning Code for an expansion of the legal non-conforming residential zoning status of 308 Southeast 30th Street to include the property being purchased.

This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. 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: \$325 (Revenue)

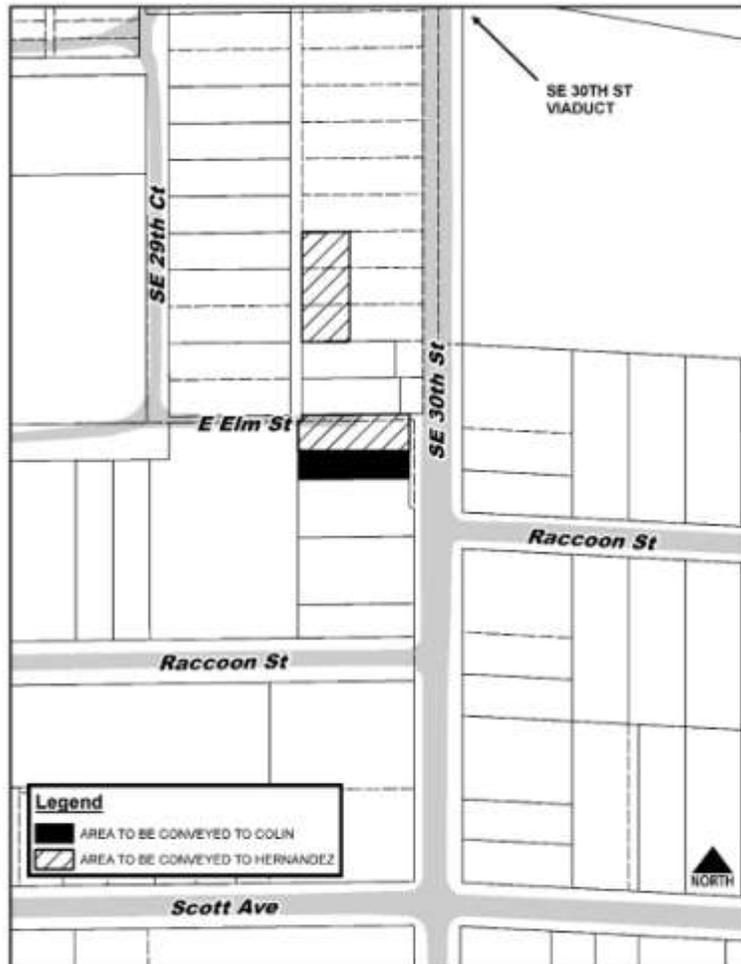
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- On February 5, 2018, by Roll Call No. 18-0192, 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 from Sergio Colin (owner) for vacation of undeveloped excess right-of-way adjoining 308 Southeast 30th Street, to allow for development in accordance with a Site Plan for a use permitted in the “M-1” Light Industrial District or for assemblage with the adjoining property following Zoning Board of Adjustment approval, and

of a request from Lisa and Manuel Hernandez (owners) for vacation of undeveloped excess right-of-way adjoining 244 Southeast 30th Street and a segment of East Elm Street right-of-way to the south of 244 Southeast 30th Street, to allow for assemblage with the adjoining residential property, all subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated

- Sergio Colin, owner of 308 Southeast 30th Street, has offered to the City of Des Moines the purchase price of \$100 for the vacation and purchase of the portion of Southeast 30th Street right-of-way adjoining his property. Closing on the sale to Sergio Colin is subject to the City Zoning Board of Adjustment granting Mr. Colin relief from the City’s Zoning Code for an expansion of the legal non-conforming residential zoning status of 308 Southeast 30th Street to include the property being purchased.
- Manuel Hernandez and Lisa Hernandez, owners of 244 Southeast 30th Street, have offered to the City the purchase price of \$225 for the vacation and purchase of the portion of Southeast 30th Street right-of-way and the portion of East Elm Street right-of-way adjoining 244 Southeast 30th Street.
- The property to be conveyed consists of approximately 23,063 square feet, and the total purchase price of \$325 from the above adjoining owners is equal to the restricted-use fair market value of the property as determined by the City’s Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: March 19, 2018

Roll Call Number: [18-0458](#)

Action: [On](#) approval of documents for vacation of a portion of SE 30th Street right-of-way adjoining 308 SE 30th Street and 244 SE 30th Street, and vacation of a segment of E. Elm Street right-of-way adjoining 244 SE 30th Street and conveyance to Sergio Colin for \$100 and to Manuel and Lisa Hernandez for \$225, (4-9-18). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: February 5, 2018

Resolution Number: 11-27-1.18; 11-27-1.21

Action: Recommends approval of the requested vacations of Right-of-Way, 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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