 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date:</b>	May 21, 2018
	<b>Agenda Item No.</b>	<b>70</b>
	<b>Roll Call No.</b>	<b><u>18-0930</u></b>
	<b>Communication No.</b>	<b><u>18-270</u></b>
	<b>Submitted by:</b>	<b>Steven L. Naber, P.E., City Engineer</b>

**AGENDA HEADING:**

Hold hearing for vacation and conveyance of the east-west alley right-of-way located north of and adjoining 304 East Walnut Street to 201 East Locust, LLC for \$21,000.

**SYNOPSIS:**

Recommend approval of vacation of the east-west alley right-of-way located north of and adjoining 304 East Walnut Street, and conveyance to 201 East Locust, LLC, Troy Hansen, Member, 5665 Greendale Road, Suite A, Johnston, Iowa, 50131 for \$21,000, subject to the reservation of an easement for the continued use and maintenance of any utilities now in place, and any future use of the property being subject to approval of a redevelopment plan by the City Council. 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:**

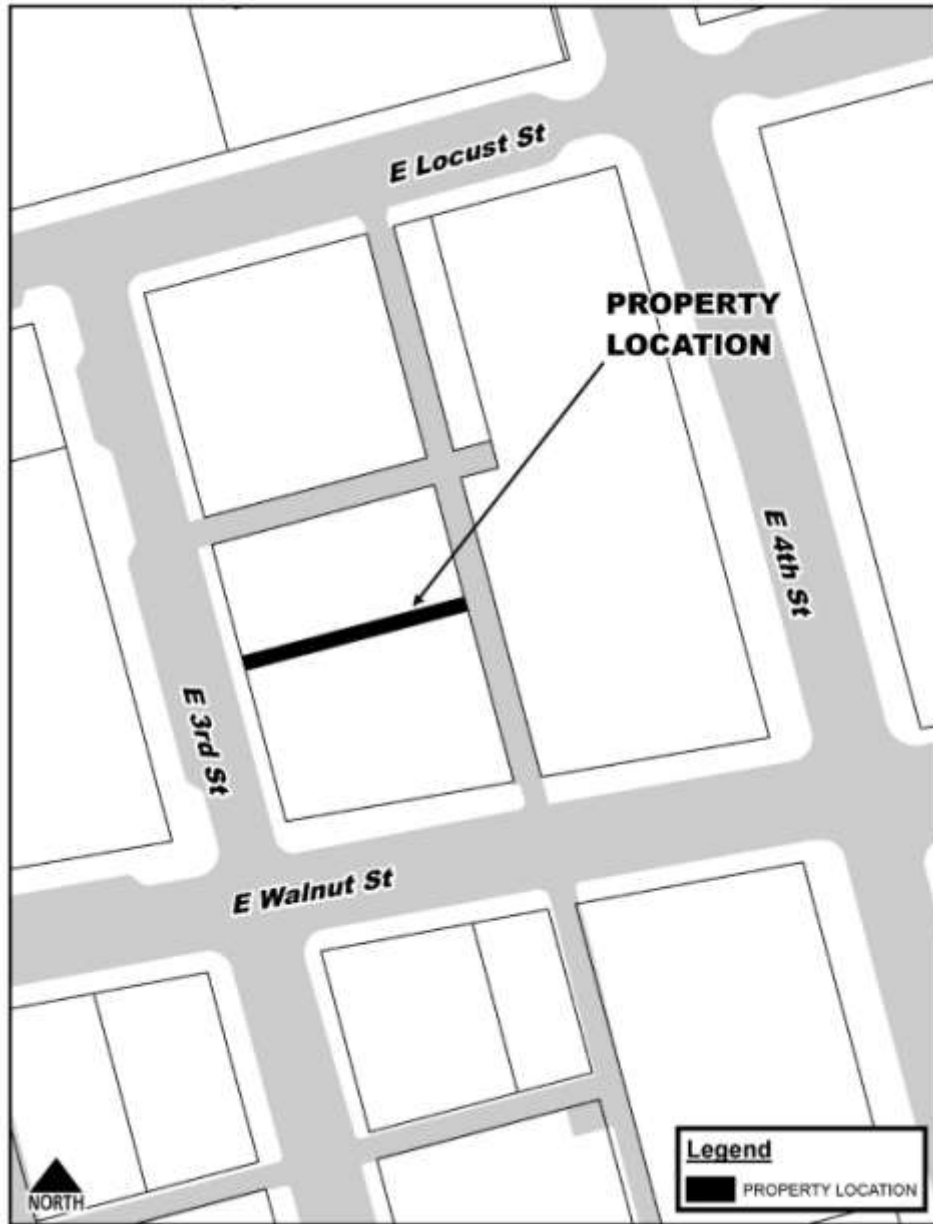
Amount: \$21,000 (Revenue)

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

**ADDITIONAL INFORMATION:**

- On April 19, 2018, the City Plan and Zoning Commission voted to recommend approval of a request from 201 East Locust, LLC, represented by Troy Hansen, to vacate the east-west alley right-of-way located between 304 East Walnut Street and 307 East 3<sup>rd</sup> Street to allow for assemblage with the adjoining properties, both of which are owned by 201 East Locust, LLC., subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated, and subject to the condition that any conveyance of the alley right-of-way shall be subject to approval of a redevelopment plan by City Council.
- 201 East Locust, LLC, owner of 304 East Walnut Street and 307 East 3<sup>rd</sup> Street, has offered to the City the purchase price of \$21,000 for the vacation and purchase of said east-west alley right-of-way. The property to be conveyed consists of approximately 1,056 square feet, and the purchase price of \$21,000 is equal to the fair market value of the property as determined by an independent appraisal.

- Any future use of the property shall be subject to approval of a redevelopment plan by the City Council.



**PREVIOUS COUNCIL ACTION(S):**

Date: May 7, 2018

Roll Call Number: [18-0765](#)

Action: [On](#) vacation and conveyance of the east-west alley right-of-way located north of and adjoining 304 E. Walnut Street to 201 East Locust, LLC, \$21,000, (5-21-18). Moved by Gray to adopt. Motion Carried 6-1. Absent: Gatto.

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

Board: City Plan and Zoning Commission

Date: April 19, 2018

Resolution Number: 11-2018-1.06

Action: Recommend approval of a request from 201 East Locust, LLC (owner), represented by Troy Hansen (officer), for vacation of a segment of east/west alley right-of-way between East Walnut Street and the more northern east/west alley running from East 3rd Street to the north/south alley, adjoining 304 East Walnut Street, to allow for assemblage with the adjoining property, subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated; and subject to the condition that any conveyance of the alley right-of-way shall be subject to approval of a redevelopment plan by City Council.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Future use of the Property shall be in accordance with all City of Des Moines Site Plan policies and design guidelines in C-3B and D-O zoning districts, or any applicable zoning that may be adopted. Furthermore, any future use of the Property shall be subject to review by all applicable boards and commissions, as determined by the City's Planning Administrator, including but not limited to the City's Plan and Zoning Commission, the City's Urban Design Review Board, and the Des Moines City Council.

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 Hall, 400 Robert D Ray Drive. 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).