 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 11, 2018
	Agenda Item No. 60 Roll Call No. <u>18-1024</u> Communication No. <u>18-301</u> Submitted by: Steven L. Naber, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of a portion of the east-west alley right-of-way lying south of and adjoining 215 SW 9th Street, and conveyance of said vacated alley and the excess City property located at 215 SW 9th Street to Orton Development Company, L.L.C. for \$320,312.

SYNOPSIS:

Recommend approval of vacation of a portion of the east-west alley right-of-way lying south of and adjoining 215 SW 9th Street, and conveyance of said vacated alley and the excess City-owned property located at 215 SW 9th Street to Orton Development Company, LLC, Robert Orton, Member, 2208 Woodlands Parkway, Clive, Iowa, 50325, for \$320,312. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

Orton Development Company, L.L.C. intends to develop the site with a new 6-story market rate multi-family residential apartment project. There is no current or anticipated public need for this property, and this conveyance will eliminate future maintenance and liability costs for the City.

FISCAL IMPACT:

Amount: \$320,312 (Revenue)

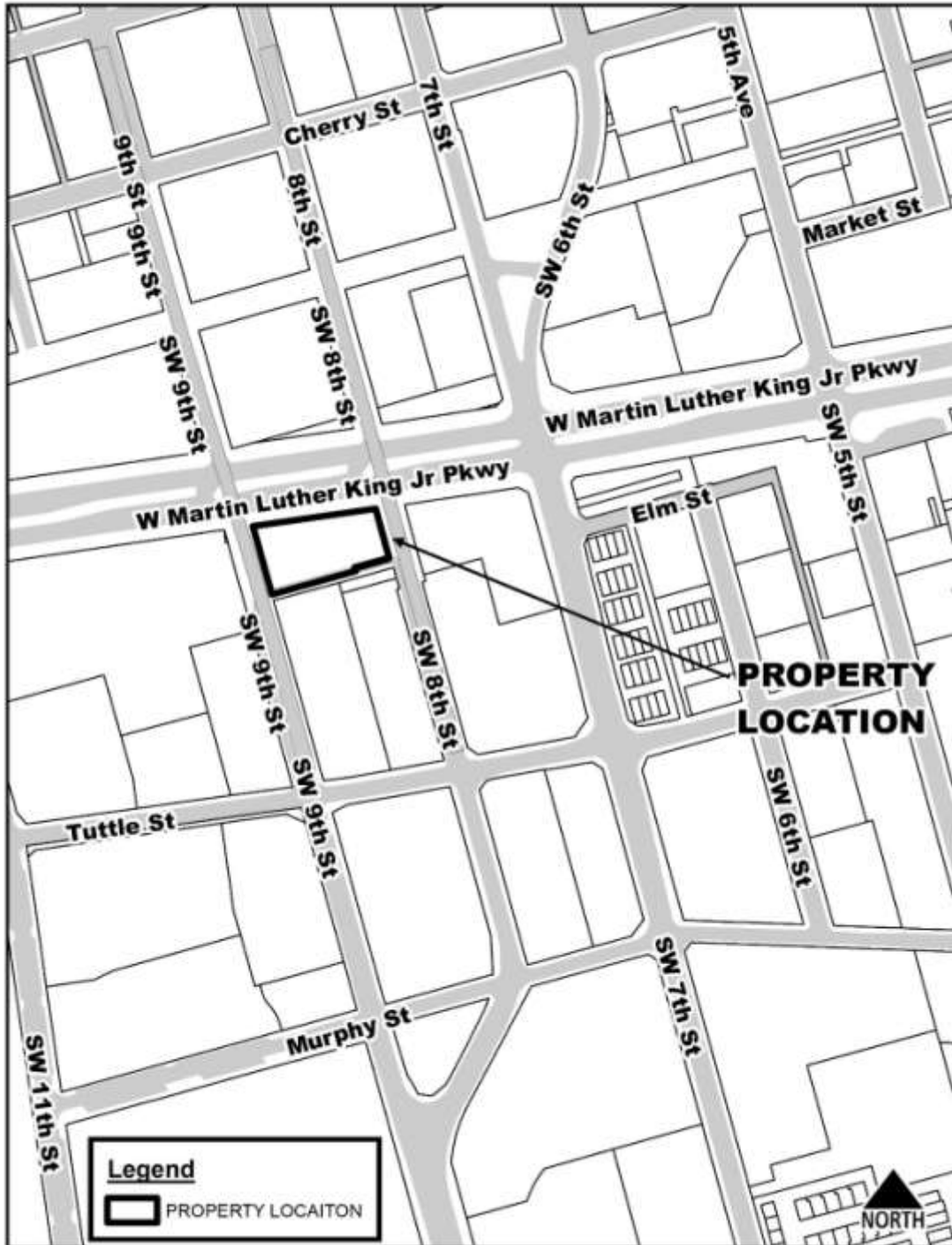
Funding Source: Martin Luther King, Jr. Parkway project encumbered proceeds from this sale (\$238,712) will be deposited into the Fed Title 23 Land Sales Account, ST500.

Non-project related proceeds from this sale (\$81,600) will be deposited into the Economic Development Enterprise Fund, CM025033.

ADDITIONAL INFORMATION:

- On May 17, 2018, the City Plan and Zoning Commission voted to approve a City Council initiated request to vacate an irregular part of the east-west alley lying south of and adjoining 215 SW 9th Street, subject to the reservation of easements for all existing utilities in place, until such time as they are abandoned or relocated.
- Orton Development Company, L.L.C., has offered to the City the purchase price of \$320,312 for the purchase of the vacated alley and the excess City property located at 215 SW 9th Street, in order to construct a 6-story, multi-family housing project on the City-owned parcel.

- The property to be conveyed consists of approximately 40,039 square feet, and the purchase price of \$320,312 is equal to the fair market value of the property as determined by an independent appraisal. The proportionate share of proceeds identified above must be returned to the Fed Title 23 Land Sales Account, ST500, due to previous federal funds used to acquire the property for the Martin Luther King, Jr. Parkway project.



PREVIOUS COUNCIL ACTION(S):

Date: May 21, 2018

Roll Call Number: [18-0871](#)

Action: [On](#) vacation of a portion of the east-west alley right-of-way lying south of and adjoining 215 SW 9th Street, and conveyance of vacated alley and excess City property at 215 SW 9th Street to Orton Development Company, LLC, \$320,312, (6-11-18). Moved by Gray to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: May 17, 2018

Resolution Number: 11-2018-1.12

Action: Recommend approval of a City Council initiated request to vacate an irregular part of the east-west alley lying south of and adjoining 215 SW 9th Street, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated.

Board: Urban Design Review Board

Date: April 24, 2018

Resolution Number: N/A

Action: Motion to recommend approval of the preliminary design noting the Boards comments by Nagle. Seconded by Weisenbach. Motion carried. Yes = 6, No = 0, Abstain = 0, Absent = 4.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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