City Council Communication

Applicant/Department: Community Development Case #SAV-22-001	Resolution of Intent No. _____ Resolution to Dispose No. _____	Set Public Hearing: 4/11/2022 Public Hearing: 4/25/2022

Subject/Title

Request: Vacate an unimproved 10-foot wide north/south alley, being legally described as the East 10 feet of Lot 22, Block 14, Hughes and Doniphan's Addition, as shown on the attached map.

Location: Lying south of 21st Avenue, east of South 6th Street, and west of the South Expressway.

Background

The Community Development Department is requesting to vacate a 10 foot-wide north/south alley, being legally described as the East 10 feet of Lot 22, Block 14, Hughes and Doniphan's Addition. The subject alley was created by the dedication of land to the City in 1921; however the alley was never been platted or improved for public use. The alley is part of a three acre parcel of land the City owns at the southeast corner of 21st Avenue and South 6th Street, which is currently under negotiations to be sold to the development firm Arch Icon for a new multi-family housing project. Arch Icon completed an ALTA survey and it shows no utilities are present within the alley. They have requested the alley be vacated so that it does not encumber the property and/or hinder their ability to develop their proposed multi-family project.

All local utility providers were notified of the proposed alley vacation. Council Bluffs Public Works, MidAmerican Energy, and Cox Communications all confirmed they do not have utilities within the alley and are not opposed to the vacation request. No response was received from Black Hills Energy or CenturyLink/Lumen regarding the vacation request. The Community Development recommends the alley be vacated without an easement, subject to confirmation from Black Hills Energy and CenturyLink/Lumen they have no utilities present in the alley.

Recommendation

The Community Development Department recommends vacating an unimproved 10-foot wide north/south alley, being legally described as the East 10 feet of Lot 22, Block 14, Hughes and Doniphan's Addition, subject to the following condition:

1. The alley be vacated without an easement, subject to confirmation from Black Hills Energy and CenturyLink/Lumen they have no utilities present in the subject alley.

Attachment A: Location map for subject alley
Attachment B: Warranty deed for land sold to City for the subject alley
Attachment C: ALTA survey of the City-owned parcel

Prepared By: Christopher Gibbons, Planning Manager