Council Communication

Department: Community Development CASE #OTB-18-027 Applicant: Victor M. Moreno 154 Grant Street Council Bluffs, IA 51503	Resolution to Dispose No. _____	Public Hearing: 10/8/2018

Subject/Title

Request of Victor M. Moreno to purchase property described as the Southeast Corner of Lot 13, Ross's Place; more particularly described as: Commencing at a point on the South line of said Lot 13, 96 feet from the Southwest Corner of Lot 13, thence Northerly 50 feet on a line which extends from the place of beginning to a point on the Northerly line of Lot 13, which is 96 feet from the Northwest Corner of said Lot 13, thence Easterly to a point on the East line of said Lot 13, which is 57 feet 3 inches North of the Southeast Corner of said Lot 13, thence West along the South line of Lot 13 to the place of beginning. The property was formerly addressed as 907 ½ North 8th Street.

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'non-buildable'. According to the adopted policy of April 23, 2018, the property should be priced at the value established by the most recent fee schedule for street/alley vacations, which on this property would be $483.75. The originally platted Lot 13, Ross's Place has been divided into three separate parcel, with the other two already being owned by the applicant. The applicant wishes to acquire this parcel to own the entirety of Lot 13, Ross's Place. The application has offered $483.75 to purchase the property, and has submitted a $50.00 down payment.

The Legal Department has indicated this property was acquired through the 657a process in 2009, and legal costs have exceeded the $483.75 that was offered for this property, so the City will not need to remit the additional money back to the courts.

The Public Works Department, Permits and Inspections Division, and Community Development Department all note that the property in its current state does not have street frontage, and would not be buildable. The Departments request a deed restriction be placed on the property that would require the entirety of the platted Lot 13, Ross's Place to remain as one parcel, to prevent further subdivision without the review of City Staff.

Recommendation

The Community Development Department recommends setting a disposing of the property described above to Victor M. Moreno for the purchase price of $483.75, subject to the following conditions:

1. The applicant shall have 60 days from the date of approval to pay the remaining fee to purchase the parcel, a total of $433.75.
2. The deed shall have a restriction requiring the parcel to remain combined with the remainder of Lot 13, Ross's Place to prevent further subdivision.

Attachment: Location map.
Prepared By: Chris Meeks, Planner, Community Development Department

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