Council Communication

Department: Community Development CASE #OTB-19-016 Applicant: City of Council Bluffs	Resolution to Dispose No. _____	Public Hearing: 8/26/2019

Subject/Title

Request of the City of Council Bluffs to dispose of surplus city property associated with the former right-of-way of 29th Avenue, a roadway which has been converted to an alleyway. The subject properties are generally described as Lot 10 and the West half of the vacated alley adjacent, and the Northerly portions of Lots 13-14 and the East half of vacated alley adjacent, all in Block 86, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: East of 2819 S. 13th Street, and South and East of 2823 S. 13th Street

Background/Discussion

In June of 2018, the Iowa Department of Transportation deeded to the City of Council Bluffs a portion of property near the former right-of-way of 29th Avenue, which was previously acquired by the Iowa DOT to accommodate the Interstate 80/Interstate 35 Interstate project. It was determined by the Community Development Department, Public Works Department, and City Owned Property Committee that the best course of action to dispose of these surplus properties would be to offer them to adjacent property owners in a manner that would correct any nonconformities (if any), keep lot shapes as square as possible, and to allow property owners to most reasonably use the property. It was determined that the value for each property should be established using the adopted Street, Alley, and Public Ground Vacation schedule. Since none of the properties are exclusively buildable, the City Owned Property Committee has proposed to sell the properties to adjacent property owners using a forgivable mortgage, requiring an initial 10% down payment with the remaining value being forgiven after 2 years of satisfactory maintenance of the property.

The following property owners were offered the opportunity to purchase a section of the surplus property:

- Michael Miller, owner of the property addressed as 2819 S. 13th Street, has indicated he is willing to purchase the North 52 feet of Lots 13 and 14, Block 86, Railroad Addition and the East half of the vacated alleyway adjacent (As shown on Attachment B). The property contains 3,744 square feet, with a total land value established at $591.60.
- Paul and Jennifer Kyndesen, owners of the property addressed as 2823 S. 13th Street, have indicated they are willing to purchase the property generally described as all of Lot 10 and the West half of the vacated alley adjacent, and a Portion of Lots 13 and 14, all in Block 86, Railroad Addition and a portion of the East half of the vacated alley adjacent to Lot 13 (As shown on Attachment C). The property contains 9,895 square feet, with a total land value established at $3,227.50.

Recommendation

The Community Development Department recommends disposing of the above described properties subject to the following conditions:

1. Michael Miller, owner of the property addressed as 2819 S. 13th Street, will acquire the North 52 feet of Lots 13 and 14, Block 86, Railroad Addition and the East half of the vacated alleyway adjacent (As shown

on Attachment B) for a total down payment of $59.16, with the remaining costs of the $591.60 total value being forgiven after 2 years of satisfactory maintenance.

2. Paul and Jennifer Kyndesen, owners of the property addressed as 2823 S. 13th Street, will acquire all of Lot 10 and the West half of the vacated alley adjacent, and a Portion of Lots 13 and 14, all in Block 86, Railroad Addition and a portion of the East half of the vacated alley adjacent to Lot 13 (As shown on Attachment C) for a total down payment of $322.75, with the remaining costs of the $3,227.50 total value being forgiven after 2 years of satisfactory maintenance.

Closing shall occur within 60 days of the date of approval.

Attachment A: Case map
Attachment B: Survey of Property adjacent to 2819 S. 13th Street
Attachment C: Survey of Property adjacent to 2823 S. 13th Street

Prepared By: Chris Meeks, Planner, Community Development Department