Council Communication

Department: Community Development CASE #OTB-19-019 Applicant: City of Council Bluffs	Resolution to Dispose No. _____	Public Hearing: 5/4/2020

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 property is generally described as being a portion of Lot 20, Block 27, Bayliss 3rd Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: South of 2824 S. 9th 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 29 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, keep lot shapes as uniform in shape as possible, and to allow property owners reasonable use of the acquired 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 owner was offered the opportunity to purchase a section of the surplus property:

- Eric Lee Mace, owner of the property addressed as 2824 S. 9th Street, was offered and indicated he was willing to purchase the land south of his property, with the condition that he is able to install a driveway access point on the South side of his property off of the alleyway formerly known as 29th Avenue. The property Mr. Mace is willing to purchase is generally described as a portion of Lot 20, Block 27, Bayliss 3rd Addition, as shown on Attachment B. The subject parcel is 1,275 square feet in area, and the total value of this parcel would be established at $221.25 with $22.13 being due at closing.

Recommendation

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

1. The property generally described as a portion of Lot 20, Block 27, Bayliss 3rd Addition, as shown on Attachment B, shall be conveyed to Eric Lee Mace, owner of the property addressed as 2824 S. 9th Street, with a total value established as $221.25 with a 10% down payment of $22.13 being due at closing and the remaining value of $$199.12 being forgiven after two (2) years of satisfactory maintenance.
2. Mr. Mace shall combine his newly acquired property with the parcels he currently owns, and shall sign an

agreement not to sell the newly acquired separately from his current property without approval from the City of Council Bluffs Community Development Department.

3. Closing on the properties shall occur with 60 days of the date of approval.

Attachment A: Case map
Attachment B: Survey of Property to be sold to the owner of 2824 S. 9th Street

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