

ITEM # 13a+b
DATE 01-06-09

COUNCIL ACTION FORM

**SUBJECT: ALLEY RIGHT-OF-WAY IN THE EDGEWOOD, 5TH ADDITION
SUBDIVISION (SOUTH OF 3620 & 3614 STORY STREET)**

BACKGROUND:

The owners of the property at 3503 Lincoln Way have requested that the alley on the western portion of their property be vacated as it is a dead-end alley that used to serve the mobile home park. With the removal of the mobile home park and the re-platting of the property, the approximately 74 feet abutting the property is no longer needed.

According to City policy for disposing of City right-of-way, property owners were approached for the interest in purchasing the following: 67 square feet of alley for \$268.58 at 3620 Story Street, 817 square feet for \$3,255.45 at 3614 Story Street, and 885 square feet for \$3,524.03 at 3503 Lincoln Way. These values were determined by taking the value of adjacent property, and in accordance with City policy, deducting 10% for quit claim deed and deducting 15% for maintaining easements on the property for access to existing utilities. A utility right-of-way permit and easement would need to be retained in order to maintain access to the existing utilities.

The property owners at 3614 Story Street said they are not interested in purchasing the land. The property owner 3620 Story Street has not responded to the letter. The property owner at 3503 Lincoln Way has expressed interest in buying the portion mentioned in the letter and also any portion that other property owners have no interest in. This would mean that 3503 Lincoln Way would purchase all 1,770 square feet of alley for a total of \$7,048.06.

ALTERNATIVES:

- 1a. Approve the process of vacating alley right-of-way south of 3620 & 3624 Story Street, and set the date of public hearing as January 27, 2009.
- b. Approve the process of selling the property to the adjacent property owner at 3503 Lincoln Way in the amount of \$7,048.06, and by establishing January 27, 2009, as the date of public hearing on the resolution to sell the property.
2. Retain the right-of-way.

MANAGER'S RECOMMENDED ACTION:

In conformance with the Council's established policy for valuing excess City land, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the process of vacating alley right-of-way south of 3620 & 3624 Story Street, and setting the date of public hearing as January 27, 2009, along with approving the process of selling the property to the adjacent property owner at 3503 Lincoln Way in the amount of \$7,048.06, and by establishing January 27, 2009, as the date of public hearing on the resolution to sell the property.