

COUNCIL ACTION FORM

SUBJECT: VACATION OF ALLEY RIGHT-OF-WAY NORTH OF LINCOLN WAY AND EAST OF ELM AVENUE AND CONVEYANCE TO FOREST PARK PROPERTIES, LLC

BACKGROUND:

City of Ames staff was approached by Kent Cooper, representing Forest Park Properties LLC, requesting the vacation and conveyance of 16' X 180' of public alley right-of-way (ROW). Forest Park Properties owns several parcels adjacent to this alley, which is north of Lincoln Way and runs east from Elm Avenue to a dead end (see Attachment A for a location map). Mr. Cooper has stated that this will facilitate more efficient use of his properties and possibly allow his parking to be organized into a more effective layout.

Forest Park has frontage on both sides of the alley totaling 300'. Also, Greater Iowa Credit Union (GICU) has an annex building on the north side of the alley with 60' of frontage. GICU has stated that they are not interested in obtaining the portion of right-of-way that is adjacent to their building (there is no pedestrian or vehicle access to GICU from the alley). The City of Ames Municipal Electric Services also has an overhead three phase line running along the north side of the alley. This is the only known utility utilizing this alley. **If City Council decides to vacate and convey this right-of-way, a Public Utility Easement (PUE) will be obtained by September 24, 2019 over the entire alley area. In addition to the PUE, the easement will also allow GICU to access the rear of their parcel for building maintenance.**

The right-of-way valuation according to the City's standard formula (Attachment B) is \$18,446.40, which is based on adjacent land values minus 10% for quit claim deed and 15% for retaining an easement. **The alley pavement is currently in a severely deteriorated condition. If the City was to retain this right-of-way, a project would need to be programmed for a complete reconstruction of the pavement. Staff has estimated this cost at approximately \$65,000. If the alley is vacated and conveyed to Forest Park Properties, they would assume all maintenance responsibilities in conjunction with maintaining their adjacent properties. Therefore, staff recommends this alley be vacated and conveyed to Forest Park Properties for \$1.00.**

ALTERNATIVES:

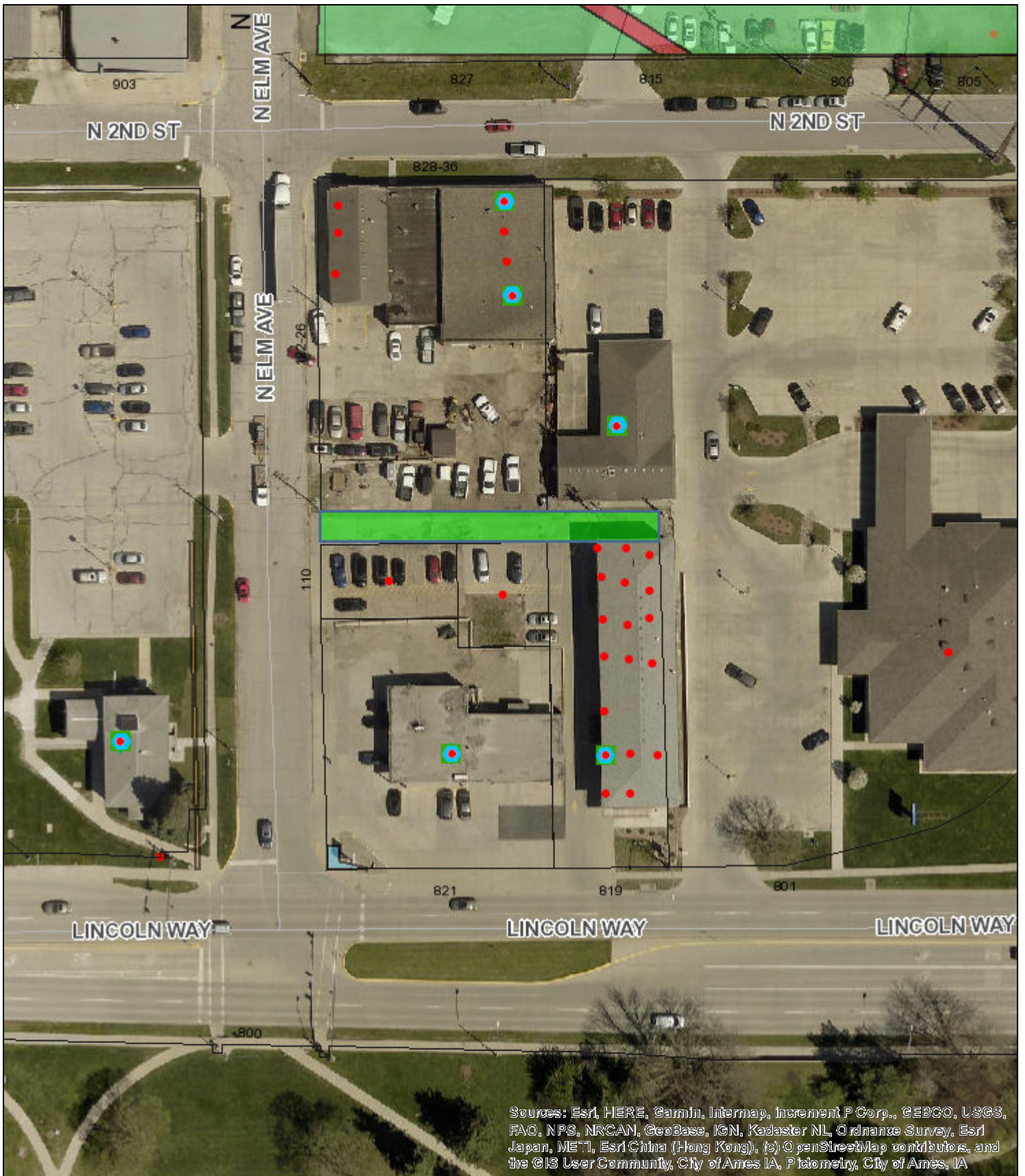
1. a. Set the date of public hearing as August 27, 2019 for the 1st reading to approve the vacation of the 180' X 16' alley ROW north of Lincoln Way and east of Elm Avenue.
- b. Set the date of public hearing as September 24, 2019 to approve the conveyance of the vacated public ROW to the adjacent owner Forest Park Properties, LLC for \$1.00.

2. a. Set the date of public hearing as August 27, 2019 for the 1st reading to approve the vacation of the 180' X 16' alley ROW north of Lincoln Way and east of Elm Avenue.
 - b. Set the date of public hearing as September 24, 2019 to approve the conveyance of the vacated public ROW to the adjacent owner Forest Park Properties, LLC for \$18,446.40.
3. Retain the 180' X 16' alley ROW.

MANAGER'S RECOMMENDED ACTION:

The practical use of this alley only serves as access to the parcels owned by Forest Park Properties. It provides no purpose for public access. An easement will be retained over the entire alley to allow access to and maintenance of the City electric facilities and allow GICU access to maintain their building. This easement will be drafted by City legal staff and executed prior to the public hearing on September 24, 2019. Conveying the alley would also allow to City to forego reconstructing the alley, which has an estimated cost of \$65,000.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as noted above.



ArcGIS Web Map

Attachment A



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Date: 7/12/2019

1 inch = 94 feet

ATTACHMENT B

PROPOSED SALE OF CITY LAND

16' x 180' alley ROW area north of Lincoln Way and east of Elm Ave

Address	Assessed SF	Assessed 2019 Land Value	\$/SF
110 Elm Avenue	2,800	\$18,500	\$6.61
821 Lincoln Way (rear)	2,750	\$11,600	\$4.22
819 Lincoln Way	10,317	\$160,800	\$15.59
801 Lincoln Way	84,023	\$830,700	\$9.89
836 2nd Street	20,640	\$132,100	\$6.40

Average Cost/SF	\$8.54
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ROW Adjacent to:	Sale Area (SF)	Value of Sale Area	Value (Less 10% for Deed & 15% for Easement)
Forest Park Properties	2400	\$20,496	\$15,372.00
Greater IA Credit Union	480	\$4,099	\$3,074.40

Total Value	\$18,446.40
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