

COUNCIL ACTION FORM

SUBJECT: VACATION OF PEDESTRIAN EASEMENT & SALE OF PUBLIC PROPERTY – FIRST UNITED METHODIST CHURCH EXPANSION

BACKGROUND:

The First United Methodist Church (FUMC) of Ames is in the process of expanding their on-site facilities. As a part of this expansion project it has been identified that the FUMC will need to acquire pieces of public land currently being used as Municipal Parking Lots R & S as presented in a report to City Council on April 12, 2011. There is also an easement on Lot S that will be affected due to the expansion and reconfiguration of parcels.

This proposed expansion creates the need for vacating of the existing Pedestrian Easement on northern edge of Lot S, which was initially created over a paved walkway on City property in order to meet site plan requirements of a commercial building owned by the FUMC. Recently, that commercial building was demolished in preparation for the expansion project and reconfiguration of parcels, therefore the easement is no longer needed for pedestrian use.

To allow the expansion project to move forward, the FUMC will also need to reconfigure the existing four parcels in the 500 Block of Kellogg Avenue into two parcels with a net gain of property to the FUMC totaling 5,583 square-feet of City property. The estimated land value is \$70,345.80, which was agreed to be paid, to the City, by the FUMC and will be included as part of their development agreement. It should also be noted that Staff has reviewed Lots R & S and determined that this proposed expansion will not create any conflicts for future access or utilities needs.

ALTERNATIVES:

1. a) Approve starting the process of vacating the pedestrian easement located on Municipal Lot S located on the corner of 5th Street and Kellogg Avenue, and set the date of public hearing for May 24, 2011, and directing the City Clerk to publish notice.
- b) Approve starting the process of disposing of City property currently held as Municipal Lots R & S totaling 5,583 square-feet to be sold to the First United Methodist Church of Ames in the amount of \$70,345.80, and set the date of public hearing for May 24, 2011, and directing the City Clerk to publish notice.
2. Do not approve the request to vacate the pedestrian easement or proceed with the sale of City property currently held as Municipal Lots R & S.

MANAGER'S RECOMMENDED ACTION:

As directed by City Council on April 12, 2011, this action is the first step in facilitating the proposed expansion to the First United Methodist Church and reconfiguration of Municipal Lots R & S into a single public lot. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 thereby starting the process 1) for vacating the pedestrian easement on Municipal Lot S located on the corner of 5th Street and Kellogg Avenue and 2) for disposing of City property currently held as Municipal Lots R & S totaling 5,583 square-feet to be sold to the First United Methodist Church of Ames in the amount of \$70,345.80 by setting the date of hearing for May 24, 2011.

It is staff's intent to present a developer agreement at the May 24th Council meeting outlining all of the other issues involved in this arrangement with the First United Methodist Church. If the provisions negotiated in this agreement prove to be unsatisfactory, the City Council will not be compelled to follow through with the easement vacation or disposition of city land on May 24th.



6th Street

Kellogg Avenue

5th Street

