

ITEM #:	<u>43</u>
DATE:	<u>11-18-25</u>
DEPT:	<u>PW</u>

COUNCIL ACTION FORM

SUBJECT: **HEARING TO TRANSFER VACATED ALLEY LOCATED AT 325 ASH AVENUE TO ALPHA IOTA ASSOCIATION OF PHI GAMMA DELTA**

BACKGROUND:

In 1917, the Ames City Council passed Ordinance No. 294, which vacated a north-south alley located within Lot 4 of Parker's Addition to Ames. The ordinance annulled the City's interest in the alley, but did not result in the formal transfer of the vacated land to the adjoining property owners. As a result, the vacated alley remained in the City's name and is still carried as public property on the Story County records. The property surrounding this vacated alley, now legally described as Parcel "F", is entirely owned by the Alpha Iota Association of Phi Gamma Delta, including: Lot 4 in Little's Subdivision Lot 6 and the South 20 feet of Lot 7 in Gray & Cessna's Subdivision.

A Plat of Survey recorded on February 12, 2025 (Instrument No. 25-00967) shows the subject alley as part of Parcel "F" with an electric easement accommodating the overhead electric in the area. However, no quit claim deed has been executed to formally transfer title of the vacated alley to the Alpha Iota Association of Phi Gamma Delta. A recent title opinion dated April 24, 2025, confirms that the City of Ames is still listed as the legal titleholder and recommends finalizing the transfer pursuant to *Iowa Code* Section 364.7.

To address this, staff proposes transferring the vacated alley to the adjoining property owner by quit claim deed, consistent with previous actions for similar alley segments. Other examples include:

- A 1993 transfer to First Baptist Church (Instrument No. 13108),
- A 2006 transfer to Iowa Beta Chapter of Phi Kappa Psi (Instrument No. 2006-0003922), and
- A 2011 transfer to the Iowa Farm House Association (Resolution No. 11-440).

Per City policy, the value of vacated right-of-way is based on the average assessed value of the adjoining properties, reduced by 10% for the use of a quit claim deed and 15% for retaining public utility easements. Based on this formula, the estimated value of the vacated alley parcel is \$92,742. **However, staff recommends that this transfer be completed at no cost to the property owner, as the Alpha Iota Association of Phi Gamma Delta has maintained the alley area for many years at no cost to the City and paid property taxes on the vacated alleyway since at least 1948, despite the City retaining legal title since the 1917 vacation.** The City will retain all necessary public utility easements as documented in the recorded Plat of Survey or as otherwise required.

ALTERNATIVES:

1. Approve the conveyance of the vacated alley located within Lot 4 of Parker's Addition to the Alpha Iota Association of Phi Gamma Delta at no cost, and authorize execution of the Quit Claim Deed.
2. Do not approve the conveyance and retain title to the vacated alley in the City's name.
3. Refer the item back to staff for further information.

CITY MANAGER'S RECOMMENDED ACTION:

The alley has been vacated for over 100 years and is fully encompassed by property under a single ownership. Conveyance of the City's remaining interest will formalize the title and follow past practices for similar alley vacations. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ATTACHMENT(S):

[Vacation_of_Alley_1917.pdf](#)

[325_Ash_Ave_Plat_of_Survey.pdf](#)