CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

5(d)

DATE: **August 24, 2015**

ITEM: Resolution – Sale and conveyance of property

FINANCIAL IMPACT: $1,650.00 (positive impact to City)

SYNOPSIS: Jon and Robin Arnold of 200 39th Street have requested that the City sell them a portion of the property that lies immediately west of 39th Street and north of the Iowa Intestate rail line and which is adjacent to their home. In conjunction with this transaction, the City would like to acquire a 5 foot wide parcel for City right-of-way owned by the Arnolds that lies between the Arnold property and 39th Street. The Arnolds would then install a sidewalk on this property. An aerial of the parcels is included.

On August 10, 2015 this matter was deferred from City Council consideration at the request of Councilmember Trevillyan and referred to the Public Works Subcommittee, where the sale price of each parcel was discussed. Subsequent to review by the Subcommittee, City departments also reconfirmed that sale of this property would not be detrimental to the City.

The attached Resolution approves the sale and conveyance of 16,500 square feet of City property to Jon and Robin Arnold for $1,650.00, and the sale and conveyance of 1,820 square feet of property owned by the Arnolds to the City for $182.00. The purchase price of .10/square foot for each parcel is based upon a per acre price of $4,350.00, which is derived from the sale of a comparable property and the location, dimension and inability to develop either of the parcels being sold.

RECOMMENDATION:

Approve - Resolution approving the sale and conveyance of properties between Jon and Robin Arnold and the City of West Des Moines.

Lead Staff Member: Richard J. Scieszinski, City Attorney

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	July 23, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works Subcommittee		
Date Reviewed	August 17, 2015		
Recommendation	Yes		

Prepared by/Return to: Office of the West Des Moines City Attorney, P.O. Box 65320, West Des Moines, Iowa 515-222-3523

RESOLUTION NO. _____

RESOLUTION OPENING AND CLOSING PUBLIC HEARING AND APPROVING CONVEYANCE OF PROPERTY TO JON AND ROBIN ARNOLD

WHEREAS, Jon and Robin Arnold of 200 39th Street have requested the sale and transfer of a portion of City-owned property lying adjacent to the Arnold residence; and

WHEREAS, in conjunction with the sale and conveyance of the property from the City to the Arnolds, the Arnolds have agreed to sell and convey to the City the property lying between the Arnold residence and 39th Street for use by the City as right-of-way; and

WHEREAS, pursuant to Code of Iowa Sections 362.3 and 364.7, publication of notice for the sale of the property from the City of West Des Moines to Jon and Robin Arnold, attached hereto as Exhibit "A" has been made; and

WHEREAS, this being the time and place for the public hearing regarding conveyance of the property legally-described on Exhibit "A"; and

WHEREAS, it is in the best interest of the City of West Des Moines to sell and convey the property to Jon and Robin Arnold for the fair market value of $1650.00; and

WHEREAS, it is also in the best interest of the City of West Des Moines to purchase the property legally-described on the attached Exhibit "B" from Jon and Robin Arnold for the fair market value of $182.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 364.7, publication of notice regarding conveyance of the property legally-described on the attached Exhibit "A" has been properly made and the public hearing regarding conveyance of the above legally-described property is closed.

2. Sale and conveyance of the property from the City to Jon and Robin Arnold and legally-described on the attached Exhibit "A" for the fair market value of $1650.00 is approved.

3. Sale and conveyance of the property from Jon and Robin Arnold to the City of West Des Moines and legally-described on the attached Exhibit "B" for the fair market value of $182.00 is approved.

4. Conveyance of all property shall be by quitclaim deed.

5. The Mayor is authorized to sign a quitclaim deed conveying the property to Jon and Robin Arnold and the City Clerk is directed to attest to his signature.

PASSED AND APPROVED this 24th day of August, 2015.

_____
John Mickelson, Mayor Pro Tem

ATTEST:

_____
Ryan T. Jacobson, City Clerk

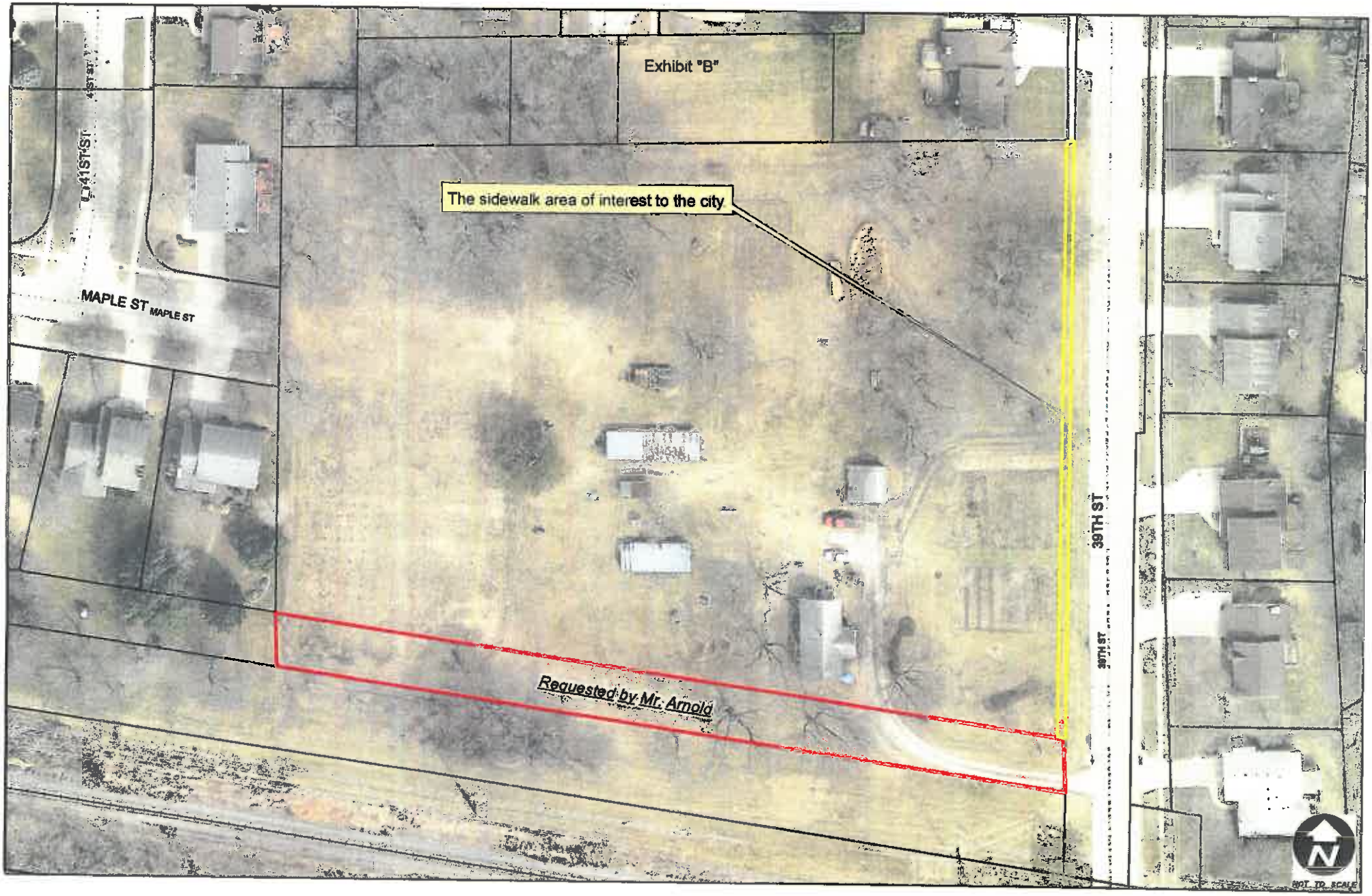
Exhibit "B"
The sidewalk area of interest to the city
41ST ST
MAPLE ST
39TH ST
Requested by Mr. Arnold
NOT TO SCALE