

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 6e
For Meeting of 04.15.10

ITEM TITLE: Set date of public hearing for property conveyance (vacated right-of-way) subsequent to Planning and Zoning Commission recommendation

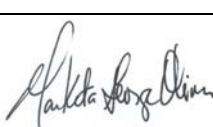
CONTACT PERSON: Marketa George Oliver, City Administrator

SUMMARY EXPLANATION

The City of Windsor Heights owns and maintains property located just west of 69th Street and Mott Avenue. Originally, many years ago, before Wal-Mart and Sam's Club were located in Windsor Heights, this area would have been a continuation of Mott Avenue through, most likely to 73rd Street.

Since Sam's Club has built, this road will most likely never be needed or wanted by the residents or the city. A public hearing vacation that portion of the street was held May 20, 2009. Last fall, Council directed city staff to collect bids for the purchase of the property, at a minimum bid of \$2,500. Whomever purchases this property is responsible for paving the driveway, which is currently gravel, and allowing access for properties to both the north and south property owners, since they currently have garage access. The City advertised accepted bids and received an acceptable offer. Exhibit A is attached showing the property location.

The Assistant City Attorney working on the title opinion necessary prior to closing, indicated that matter needed to be addressed by Planning and Zoning Commission prior to having a public hearing on the conveyance of the property by Council. The Planning and Zoning Commission met April 14, 2010 and recommends the vacation of the property be approved. The public hearing is set for May 3rd, 2010. The prior public hearing was held to vacate the street and this public hearing is to convey property. The bid for this property has been accepted and this will be the final legislative step to sell this property.

<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Contract <input type="checkbox"/> Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: center;"> City Administrator</div>

STAFF RECOMMENDATION:
COUNCIL ACTION:

