



Legislation Text

File #: 17-0738, **Version:** 1

Consider and take action on a resolution approving an Abandonment and Conveyance Agreement with Berk Venture's, LLC in the amount of \$3,500 for the abandonment and conveyance of a 0.064-acre (2,800 square feet) portion of an unopened, unnamed 20-foot alley lying between Lots 15 through 18 and Lots 19 through 22, Russell's Addition (Director of Engineering)

Approval of this resolution will approve an Abandonment and Conveyance Agreement with Berk Ventures, LLC in the amount of \$3,500 for the abandonment and conveyance of a 0.064-acre (2,800 square feet) portion of an unopened, unnamed 20-foot alley lying between Lots 15 through 18 and Lots 19 through 22, Russell's Addition.

The City has received a request for the abandonment and conveyance of the subject 0.064-acre (2,800 square feet) portion of an unopened and unnamed 20-foot alley. The purpose of the proposed abandonment is to enhance the commercial development of the property as a chiropractic clinic. The applicant has paid the required \$2,250 application fee and the City's franchised utilities have offered no objections to the proposed abandonment and conveyance.

The City commissioned Associated Appraisal Service to establish the fair market value of the subject alley-way. In its current configuration, the alley is essentially undevelopable and was appraised at \$2.50/square foot for an unadjusted fair market value of \$7,000.

The City owns an existing sanitary sewer line within the alley and the alley also carries historic drainage sheet flows from the properties lying westerly of the proposed chiropractic clinic. It is proposed that the abandonment be subject to the City retaining easements rights for sanitary sewer and drainage purposes.

Accordingly, the fair market value has been discounted by 50% to adjust for the City's encumbering easement interests. This discount brings the purchase price for the abandonment and conveyance to \$3,500. The applicant, as part of his site plan development, shall be responsible for accommodating the historic drainage sheet flows and replatting the abutting properties and alley into buildable property.

Attachments:

1. Data Sheet
2. Proposed Resolution
3. Abandonment and Conveyance Agreement
4. "No objection" Documentation
5. Copy of Quit-Claim Deed Form
6. Zoning Map
7. Aerial Map

CONTRACT ORIGINATION: Abandonment and Conveyance Agreement with Berk Venture's, LLC reviewed and approved by City Attorney's office

FUNDING

{X} NOT APPLICABLE