



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

October 17, 2018

DEPARTMENT:

City Attorney's Office

DIVISION:

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Sale of Surplus Right-of-Way: 2505 W. 28th Street

SUMMARY RECOMMENDATION:

Declare certain right-of-way at the southwest corner of Avenue B and 28th Street (2505 W. 28th Street) surplus for City use and vacate the surplus right-of-way to the adjacent property owner upon the payment of the purchase price. (City Attorney's Office) (Richard W. Files)

REPORT:

The City acquired the southwest corner of Avenue B and 28th Street in 2004 for right-of-way under the Major Roadways Plan. Ordinance No. O2013-38 authorized the sale of the remainder parcel in accordance with the Major Roadways Plan. In 2014, the City adopted the Transportation Master Plan which requires less right-of-way than the Major Roadways Plan and results in an additional 1,835.8 square feet that is no longer needed for City use. The buyer of the adjacent parcel has requested to purchase the additional 1,835.8 square feet.

The attached ordinance declares the 1,835.8 square-foot parcel surplus for City use, and provides for vacating title to the surplus right-of-way by deed to the purchaser of the adjacent parcel. The City will be paid market value at \$5.79 per square foot for the additional square footage along with purchaser paying all recording and escrow fees applicable.

Returning the described right-of-way to the tax rolls will be in the best interest of the City, as this property is no longer needed for roadway construction, and will benefit the purchaser of this parcel.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input checked="" type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		9/25/2018	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		9/25/2018	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
	WRITTEN/SUBMITTED BY:		DATE:	
	Erica Rivera		9/10/2018	