

# MARSHALLTOWN

— I O W A —

Joel Greer, Mayor  
Jessica Kinser, Administrator  
24 North Center Street  
Marshalltown, IA 50158-4911  
Tel - (641) 754-5701  
Fax - (641) 754-5717

**TO:** Mayor Greer and City Council  
**FROM:** Jessica Kinser, City Administrator  
**DATE:** November 8, 2022  
**RE:** Vacated Alley - 918 S. 11<sup>th</sup> Ave

**Policy Issue:** Alley needs assigned ownership and disposition back to original purchaser

<input type="checkbox"/> Goal 1: Expand and improve development	<input checked="" type="checkbox"/> Goal 3: Continually improve the City's organization & services
<input type="checkbox"/> Goal 2: Enhance Marshalltown's public image	<input type="checkbox"/> Goal 4: Partner with others to improve quality of life

**Specific Objective/Action:** Objective 1- Review policies, procedures, ordinances for updates

**Recommendation:** Approve the resolutions as proposed

**Budget Impact:** Legal fees - TBD

**Description/Background:** In 1953, the City Council vacated a north-south alley in Block 1 of Sutton's Addition, better described as the alley between Anson Street and High Street on the east side of 11<sup>th</sup> Avenue. In August of 1953, the Council took action to sell the vacated alley portions to the adjoining properties. Today, only one property- 918 South 11<sup>th</sup> Avenue- is not showing the transfer of the property, though the 1953 resolution approved it. We are speculating that individual owner's were to record their own deeds, and this owner never did.

Before you tonight are two different actions to resolve this property issue. First, at the request of the County Auditor's office, the Council is being asked to approve a quit claim deed to the City from the City in order to establish ownership. The second aspect of this solution is to set a public hearing to dispose of the vacated alley to the current owners at no cost as this is correcting a prior conveyance. The public hearing would then be held on November 28. After this time, we would record a quit claim deed, deeding the vacated alley to the new owners.

Please note this is not the last issue of this type that will come forward as we try to untangle past issues. The bigger issue is getting this parcel of land recognized as taxable property, which should have been done nearly 70 years ago.

**CITY COUNCIL**

Al Hoop, Gabriel Isom, Barry Kell, Mike Ladehoff,  
Jeff Schneider, Gary Thompson, Dex Walker

