

MARSHALLTOWN

— I O W A —

City Administrator's Office

Joel Greer, Mayor
Jessica Kinser, Administrator
Alicia Hunter, City Clerk
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5799
Fax - (641) 754-5717

To: Mayor Greer and the City Council
From: Jessica Kinser, City Administrator
Date: January 4, 2023
RE: Request to Purchase Property

I received the attached request from Cynthia Lewis, owner of 1021 South 5th Avenue, in December, requesting to purchase a portion of the City-owned parcel adjacent to the property that is a portion of the Anson Park ball field. The history of this property extends back to 2018 when the City was looking to trade the property with the School District. Litigation was filed by Ms. Lewis's parents to stop the sale, but that was ultimately dismissed in late 2019/early 2020. The property has remained as is since that time.

Ms. Lewis is offering to pay \$500 for a strip of land that would be 34.5 feet wide by 264 feet long. In reviewing the policy for the sale of surplus property, the process of a direct sale is allowable, and it would make since in this case for a few reasons. First, the amount of land requested would make an unbuildable parcel, which Marshall County would not allow the City to create/dispose of without an affidavit of non-severability which would tie the unbuildable parcel to an existing parcel. The only party for this type of transaction to logically occur with would be Ms. Lewis at 1012 South 5th Avenue.

If the Council would like to proceed forward with this transaction, I would recommend a motion to direct staff to set a public hearing on the disposal of the property requested. I cannot guarantee what date we could set a public hearing or hold a public hearing, as we will need CGA to update a survey of the property in order to provide a legal description that would be used in hearing notices and deeds. As part of a sale, we would require Ms. Lewis to sign an affidavit of non-severability to be recorded at the time of sale, as this would be the only way the real estate transaction could occur.

City Council

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

