



## Legislation Details (With Text)

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**Title:** Rolling Meadows - Surplus Right-of-Way Property Owner Refund of \$827.50  
**Sponsors:** Vernon Gerth, Catherine Powers  
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Date	Ver.	Action By	Action	Result
1/13/2015	1	Board of Mayor & Aldermen	received and filed	Pass

**DATE:** December 23, 2014

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Vernon Gerth, ACA-Community & Economic Development  
Catherine Powers, Planning and Sustainability Department Director  
Kelly Dannenfelser, Principal Planner

**SUBJECT:**  
Rolling Meadows - Surplus Right-of-Way Property Owner Refund of \$827.50

### Purpose

The purpose of this memorandum is to update the Board of Mayor and Alderman on the status of the City disposing of surplus right-of-way within the Rolling Meadows neighborhood.

### Background

Several years ago staff and alderman met with Rolling Meadows subdivision property owners to discuss the status of un-used City right-of-way located between several of the resident's property. Over time, the BOMA declared these strips of property surplus and Principal Planner Kelly Dannenfelser proceeded to work with property owners to deed over "half" of the property to the adjacent owners for out-of-pocket expenses. The out-of-pocket expenses associated with preparing and recording the needed documentation was \$850 per property owner.

There were two instances where property owners first agreed to this arrangement then later decided not to participate. Subsequently, staff decided to try to collect \$1,700 (2 times \$850) from the two property owners for the "two halves" of the property they would receive. After collecting this full amount from one of the property owners, we learned the other owner in a similar situation was not able to afford the additional \$850

fee but agreed to accept the additional strip of land. The property owner who had paid the full \$1,700 was Ms. Virginia Carter. To be equitable in the treatment of the two property owners who agreed to accept the “two-halves” of property we are refunding Ms. Carter \$827.50. The \$22.50 difference is related to additional recording fees.

Refunding Virginia Carter \$827.50 ensures the two property owners are treated equally and that Ms. Carter is not penalized for cooperating with the City by having followed through on paying in a timely manner.

**Financial Impact**

Besides the several hours of staff time to facilitate the transfer of the property, the City was able to recoup the majority of out-of-pocket expenses associated with surveys and other documentation. Additionally the property is back on the tax roll.

**Recommendation**

This item has been approved by the City Administrator on behalf of the Board of Mayor and Aldermen