



# Council Communication

Office of the City Manager

<b>Date</b>	January 28, 2008
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<b>Agenda Item No.</b>	<b>54</b>
<b>Roll Call No.</b>	<b><u>08-</u></b>
<b>Communication No.</b>	<b><u>08-040</u></b>
<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

## AGENDA HEADING:

Hearing on vacation and conveyance of an easement for air space above a portion of 13<sup>th</sup> Street right-of-way between Locust Street and Walnut Street and above a portion of Walnut Street right-of-way between 12<sup>th</sup> Street and 13<sup>th</sup> Street to Nationwide Mutual Insurance Company for \$400.

## SYNOPSIS:

Approval of vacation and conveyance of easement to Nationwide Mutual Insurance Company, an Iowa corporation, Donald V. Freiirt, Jr., Vice President – Corporate Real Estate, 1100 Locust Street, Des Moines, Iowa, 50309 This action is required by Iowa law prior to making a final determination on the proposed sale by resolution. There is no current or anticipated public need for this property.

## FISCAL IMPACT:

Amount: \$400 (Revenue)

Funding Source: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767

## ADDITIONAL INFORMATION:

Nationwide Mutual Insurance Company is constructing an operations building on their property at 1200 Locust Street. The building has a parapet that will extend slightly into the City right-of-way on Walnut and 13<sup>th</sup> Streets, and in order to address this situation they are requesting that the City grant them an air space easement.

The air space easement consists of approximately 231 square feet. The parapet “eyebrow” will extend slightly into the City right-of-way on Walnut and 13<sup>th</sup> Streets. A slight encroachment of 15 inches or less will exist at three roof-level locations on the building at a height of 121.5 to 123.0 feet. City staff has determined that this is a small vacation of right-of-way that does not need to be processed through the Plan and Zoning Commission. Nationwide Mutual Insurance Company has submitted an offer of \$400 to purchase the above referenced Easement for Use of Air Space, which is equal to the fair market value for the air rights to be conveyed.

## PREVIOUS COUNCIL ACTION(S):

Date: January 7, 2008

Roll Call Number: [08-034](#)

Action: [On](#) vacation and conveyance of an easement for air space above a portion of 13<sup>th</sup> Street right-of-way between Locust and Walnut Street, and above a portion of Walnut street right-of-way between 12<sup>th</sup> Street and 13<sup>th</sup> Street, to Nationwide Mutual Insurance Company, \$400, (1-28-08). Moved by Vlassis to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**