

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 14, 2010
	Agenda Item No. 68 Roll Call No. [Roll Call] Communication No. <u>10-339</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing for conveyance of a Permanent Landscape Buffer Easement on City-owned Airport property at 3901 SW 42nd Street to Scott and Roxanne McGlothlen for \$1,173.

SYNOPSIS:

Recommend approval for conveyance of such permanent landscape buffer easement. This action is required by Iowa law prior to making a final determination on the proposed conveyance by resolution. The City is in the process of selling excess City-owned airport property. Because of concerns from adjoining property owners about future residential development on the property, the City has offered to allow them to purchase 30-foot or 50-foot landscape buffer easements on the property before it is sold. Conveyance of the proposed easement will have minimal impact on the development potential of the remaining property.

FISCAL IMPACT:

Amount: \$1,173 (Revenue)

Funding Source: 2010-11 Operating Budget, Page 25, Airport Operations, EN002

ADDITIONAL INFORMATION:

The City of Des Moines is in the process of selling excess City-owned Airport property located at 3901 Southwest 42nd Street. Because of concerns from adjoining property owners about future residential development on the property, the City has offered to allow them to purchase 30-foot or 50-foot landscape buffer easements on the property before it is sold. On April 26, 2010, by Roll Call No. 10-637, the City Council approved conveyance of landscape buffer easements to seven of the sixteen adjoining property owners. On May 3, 2010, the City of Des Moines’ Real Estate Division received an offer from one more property owner, Scott J. and Roxanne McGlothlen, 3416 Rose Avenue, Des Moines, Iowa, 50321-1884, for purchase of a 50-foot landscape buffer easement for \$1,173, which is equal to the estimated fair market value.

The landscape buffer easement will not allow any use or access to the easement area by the adjoining property owner, but it will provide them with a buffer area that can only be used by the owner of the underlying land to plant and maintain suitable trees, shrubbery, grass, other landscaping, placement of underground infrastructure and surface trails. The easement area can be used in the calculation of

setback requirements for erecting structures outside the easement area, as there will be no effective change to the property line, but no structures or fences will be allowed within the easement area.

After this final easement conveyance is completed, the City's Real Estate Division will solicit bids for sale of the above property, which has a current estimated fair market value of \$300,000. All sales of Airport property are subject to review and approval by the Federal Aviation Administration (FAA), and such approval has been granted for this proposed property sale and for the above easement conveyances. Additional FAA approval is required for any proposed sale of the property with a sales price that is less than the current appraised value of \$300,000.

PREVIOUS COUNCIL ACTION(S):

Date: May 24, 2010

Roll Call Number: [10-806](#)

Action: On conveyance of permanent landscape buffer easement at 3901 SW 42nd Street to Scott and Roxanne McGlothlen, \$1,173, (6-14-10). Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 26, 2010

Roll Call Number: [10-637](#)

Action: On conveyance of permanent landscape buffer easements to various property owners that adjoin 3901 SW 42nd Street, \$6,246. ([Council Communication No. 10-221](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 12, 2010

Roll Call Number: [10-503](#)

Action: On conveyance of permanent landscape buffer easements to various property owners that adjoin 3901 SW 42nd Street for \$6,246, (4-26-10). Moved by Coleman to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): Airport Board

Date: October 4, 2005

Roll Call Number: A05-257

Action: Approved recommendation to City Council for disposal of excess airport property, subject to final approval by the Federal Aviation Administration.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

- On June 2, 2010, bids will be solicited from residential developers and other interested buyers.

- FAA approval of final sales price.

City Council to set and hold a public hearing for approval to convey property.

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