 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	April 22, 2013
	<b>Agenda Item No.</b>	<b>40</b>
	<b>Roll Call No.</b>	<b><u>13-0668</u></b>
	<b>Communication No.</b>	<b><u>13-191</u></b>
	<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E., City Engineer</b>

**AGENDA HEADING:**

Hearing for vacation and conveyance of a subsurface easement along Grand Avenue adjoining 430 Grand Avenue to EMM Associates, L.P., for the Elsie Mason Manor Redevelopment Project for \$1,250.

**SYNOPSIS:**

Recommend approval for vacation and conveyance of such easement to EMM Associates, L.P., by EMM GP, LLC, Kimber Myers Givner, Executive Director, 3408 Woodland Avenue, Suite 504, West Des Moines, Iowa, 50266, for construction, operation, and maintenance of elevator shaft footings for the Elsie Mason Manor Redevelopment Project. There is no current or anticipated public need for this property. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

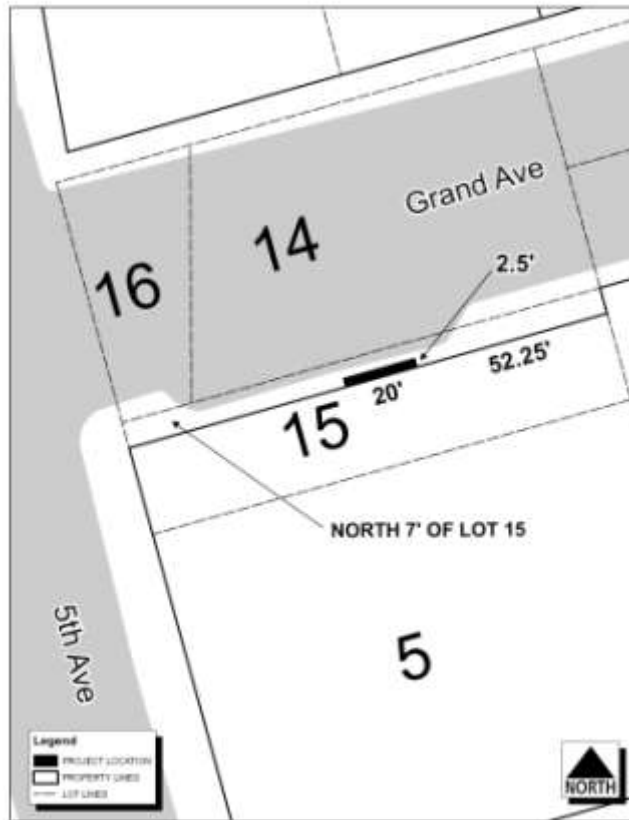
**FISCAL IMPACT:**

Amount: \$1,250 (Revenue)

Funding Source: Sale proceeds will be deposited into the Property Maintenance Endowment Fund, SP767, ENG980500. The first \$175,000 of annual proceeds to the Property Maintenance Endowment Fund will be returned to the General Fund (GE001, ENG040700) to offset the operating budget of the Engineering – Real Estate Division.

**ADDITIONAL INFORMATION:**

EMM Associates, L.P., the purchaser of property at 430 Grand Avenue, has offered the City of Des Moines the purchase price of \$1,250 for a permanent subsurface easement along Grand Avenue. The easement area consists of approximately 50 square feet and is required for installation, operation, and maintenance of elevator shaft footings for building improvements to Elsie Mason Manor. Such subsurface portion of Grand Avenue has been determined by the City Engineer and City Traffic Engineer to have no significant impact upon the public use of Grand Avenue. The purchase price reflects the restricted-use fair market value of the easement interest as currently estimated by the City's Real Estate Division.



**PREVIOUS COUNCIL ACTION(S):**

Date: April 8, 2013

Roll Call Number: [13-0552](#)

Action: [On](#) vacation and conveyance of a subsurface easement along Grand Avenue adjoining 430 Grand Avenue to EMM Associates, LP for the Elsie Mason Manor Redevelopment Project, \$1,250, (4-22-13). Moved by Hensley to adopt. Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).