 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: February 20, 2017
	Agenda Item No. 49 Roll Call No. <u>17-314</u> Communication No. <u>17-099</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for conveyance of a Permanent Easement for Encroachment on City-owned property adjoining 2208 Maish Court to Douglas Rian Roby and Barbara Ann Roby for \$25 and adjoining 2240 Maish Court to Kenneth J. Richards for \$25.

SYNOPSIS:

Recommend approval of the conveyance of a Permanent Easement for Encroachment on City-owned property adjoining 2208 Maish Court to Douglas Rian Roby and Barbara Ann Roby for \$25 and adjoining 2240 Maish Court to Kenneth J. Richards for \$25. The easement area consists of a 20 foot wide strip of property lying east of and adjoining 2208 Maish Court and 2240 Maish Court, Des Moines, Iowa. The purchase price reflects the fair market value of the Property as currently estimated by the City’s Real Estate Division.

There is no current or anticipated public need for this property. The conveyance of a Permanent Easement for Encroachment will allow the buyers to mitigate existing or future encroachments within and upon the easement area. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

FISCAL IMPACT:

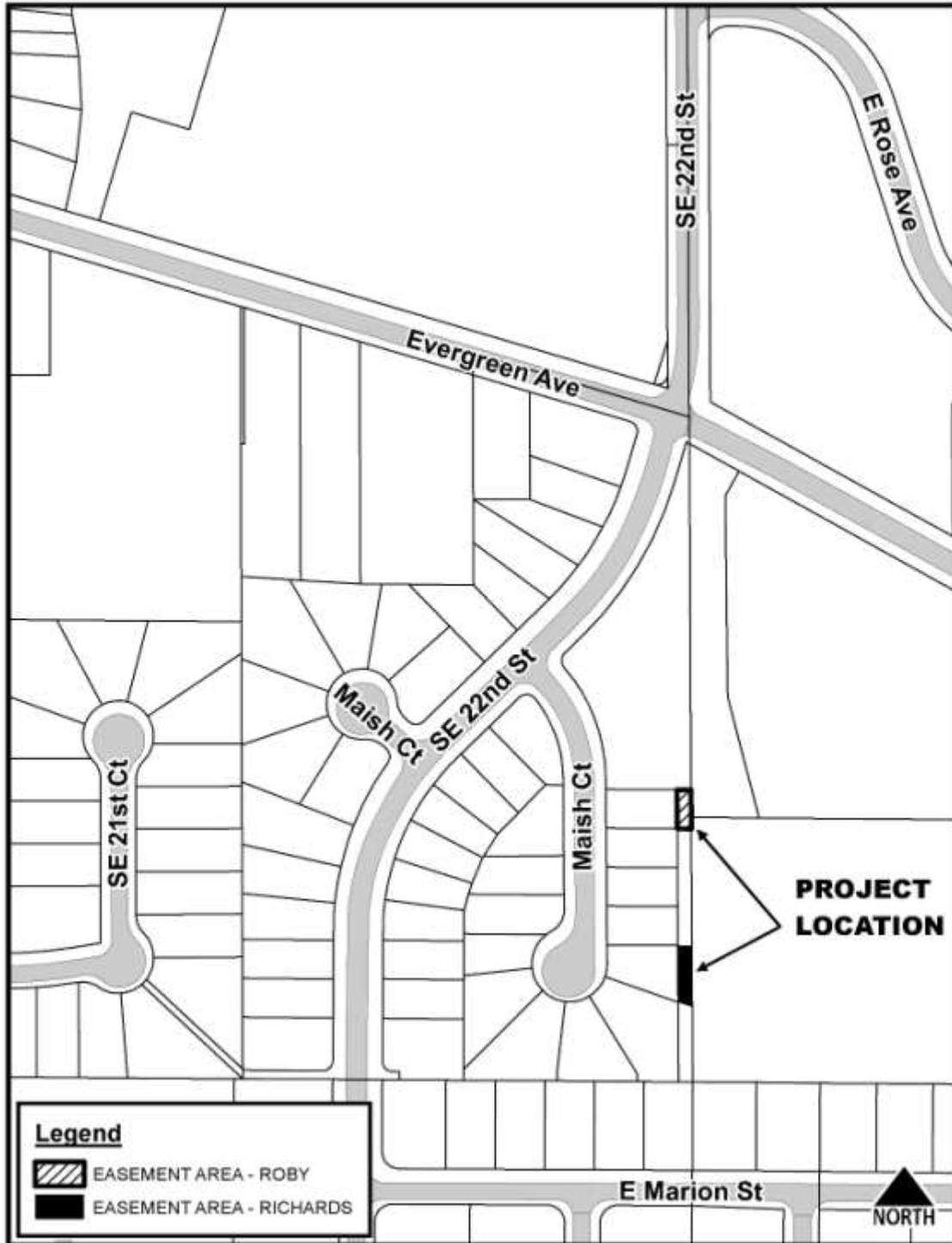
Amount: \$50 (Revenue)

Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- Douglas Rian Roby and Barbara Ann Roby own 2208 Maish Court, which adjoins the 20 foot wide strip of City property, and have offered to the City of Des Moines \$25 for the purchase of a Permanent Easement for Encroachment onto said City property in order mitigate an existing shed encroachment and any future encroachments within and upon the Easement Area.
- Kenneth Richards owns 2240 Maish Court, which also adjoins the 20 foot wide strip of City property, and has offered to the City of Des Moines \$25 for the purchase of a Permanent Easement for Encroachment onto said City property in order allow him to construct a deck that will partially encroach onto the City property and to mitigate any future encroachments within and upon the Easement Area.

- The Roby encroachment easement area to be conveyed consists of approximately 1,100 square feet. The Richards encroachment easement area to be conveyed consists of approximately 1,460 square feet. The purchase price of \$25 reflects the fair market value of each of the easements as determined by the City's Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: February 6, 2017

Roll Call Number: [17-0186](#)

Action: [On](#) conveyance of a permanent easement for encroachment on City-owned property adjoining 2208 Maish Court to Douglas Rian Roby and Barbara Ann Roby, \$25, and adjoining 2240 Maish Court to Kenneth J. Richards, \$25, (2-20-17). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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