 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 12, 2017
	Agenda Item No. 57 Roll Call No. <u>17-1014</u> Communication No. <u>17-474</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of city rights-of-way adjoining 2301 Ingersoll Avenue and conveyance of a subsurface easement within Ingersoll Avenue right-of-way all adjoining 2301 Ingersoll Avenue to 23 Ingersoll, L.L.C. for \$1,425.

SYNOPSIS:

Recommend approval for vacation of said rights-of-way and conveyance of a subsurface easement to 23 Ingersoll, L.L.C., represented by Jeff Koch (officer), 1964 W. Wayzata Boulevard, Suite 200, Long Lake, MN 55356, for installation, repair, and maintenance of footings and foundations extending from the building to be constructed at 2301 Ingersoll Avenue. There is no current or anticipated public need for the easement area to be conveyed. This action is required by Iowa law prior to making a final determination on the proposed easement by resolution.

FISCAL IMPACT:

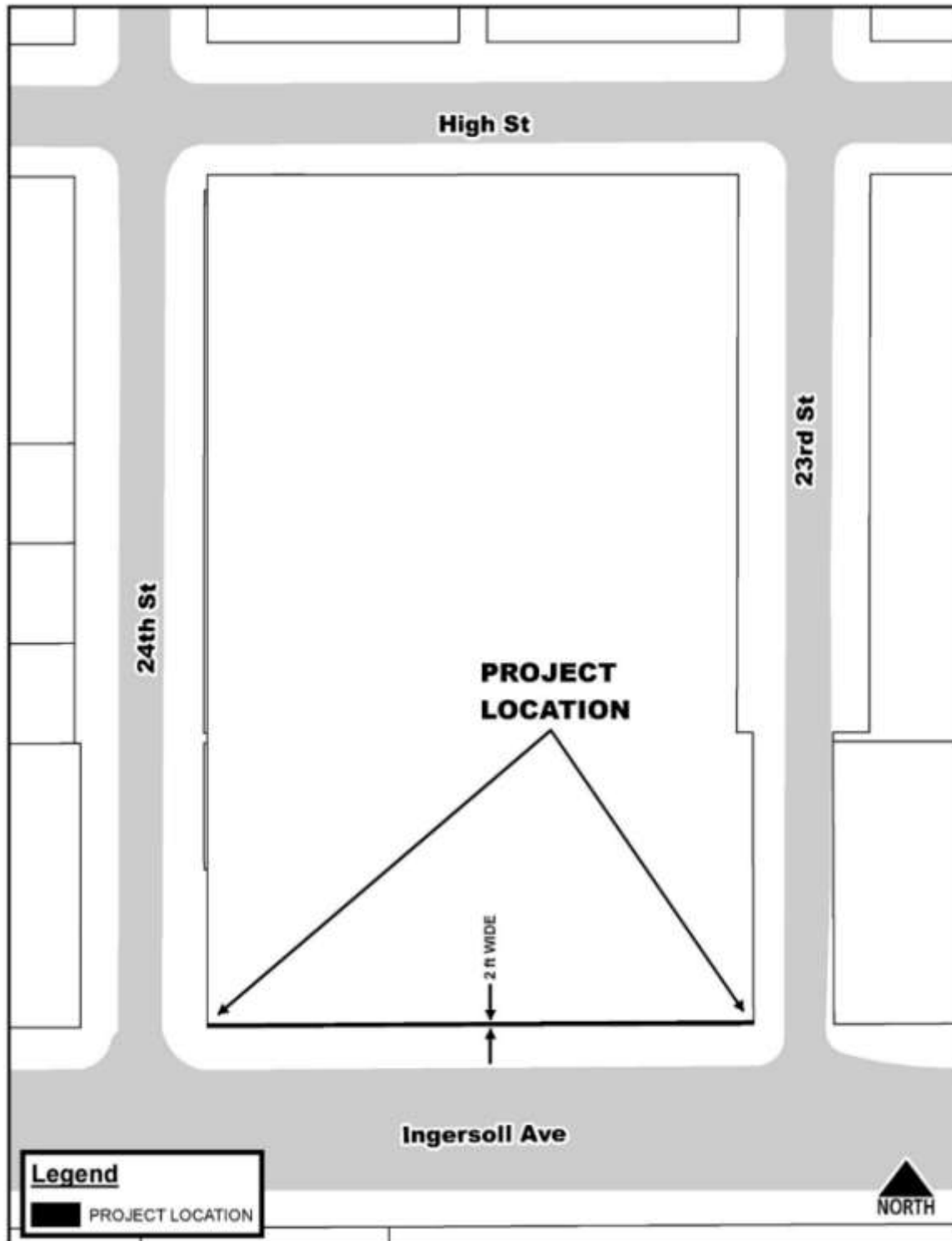
Amount: \$1,425 (Revenue)

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

ADDITIONAL INFORMATION:

- On December 5, 2016, by Roll Call No. 16-2060, the City Council of the City of Des Moines, Iowa, received and filed a recommendation from the City Plan and Zoning Commission recommending approval of a request from Vue 23, LLC (developer) represented by Jeff Koch (officer), for vacation of the north 2 feet of Ingersoll Avenue adjoining 2301 Ingersoll Avenue to allow for subsurface encroachment of patio footings, subject to reservation of any necessary easements for any existing utilities until such time that they are abandoned or are relocated.
- 23 Ingersoll LLC, represented by Jeff Koch (officer), is now the current owner of the real property locally known as 2301 Ingersoll Avenue, which property is being developed with a mixed-use building.
- 23 Ingersoll, LLC has offered the City of Des Moines the purchase price of \$1,425 for a permanent subsurface easement in portions of Ingersoll Avenue rights-of-way adjoining 2301 Ingersoll Avenue, which easement is required for installation, operation and maintenance of footings for the building being constructed.

- The easement area consists of approximately 547 square feet and the purchase price of \$1,425 is equal to the estimated fair market value of the easement area as determined by the City's Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: May 22, 2017

Roll Call Number: [17-0864](#)

Action: [On](#) vacation of a portion of City right-of-way adjoining 2301 Ingersoll Avenue and conveyance of a subsurface easement therein to 23 Ingersoll LLC, \$1,425. (6-12-17). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: November 17, 2016

Resolution Number: Item 19

Action: Vacation of the north 2 feet of Ingersoll Avenue adjoining 2301 Ingersoll Avenue to allow for subsurface encroachment of patio footings.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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