 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	January 22, 2018
	Agenda Item No.	36
	Roll Call No.	<u>18-0143</u>
	Communication No.	<u>18-030</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for approval of documents for vacation of Des Moines Street right-of-way adjoining 621 Des Moines Street and conveyance of a Permanent Easement for Building Encroachment to Sari D. Bassman, Trustee of the Jerome T. Bassman and Sari D. Bassman Irrevocable Trust, for \$5,040.

SYNOPSIS:

Recommend approval for vacation of a portion of Des Moines Street right-of-way adjoining 621 Des Moines Street and conveyance of a permanent easement for building encroachment to Sari D. Bassman, Trustee of the Jerome T. Bassman and Sari D. Bassman Irrevocable Trust dated September 25, 2012, 3517 131st Street, Urbandale, Iowa 50323, for \$5,040. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

This easement will allow for encroachment into the right-of-way of a deck addition, two entrance door swings, and a planter area. There is no current or anticipated public need for the easement area to be conveyed.

FISCAL IMPACT:

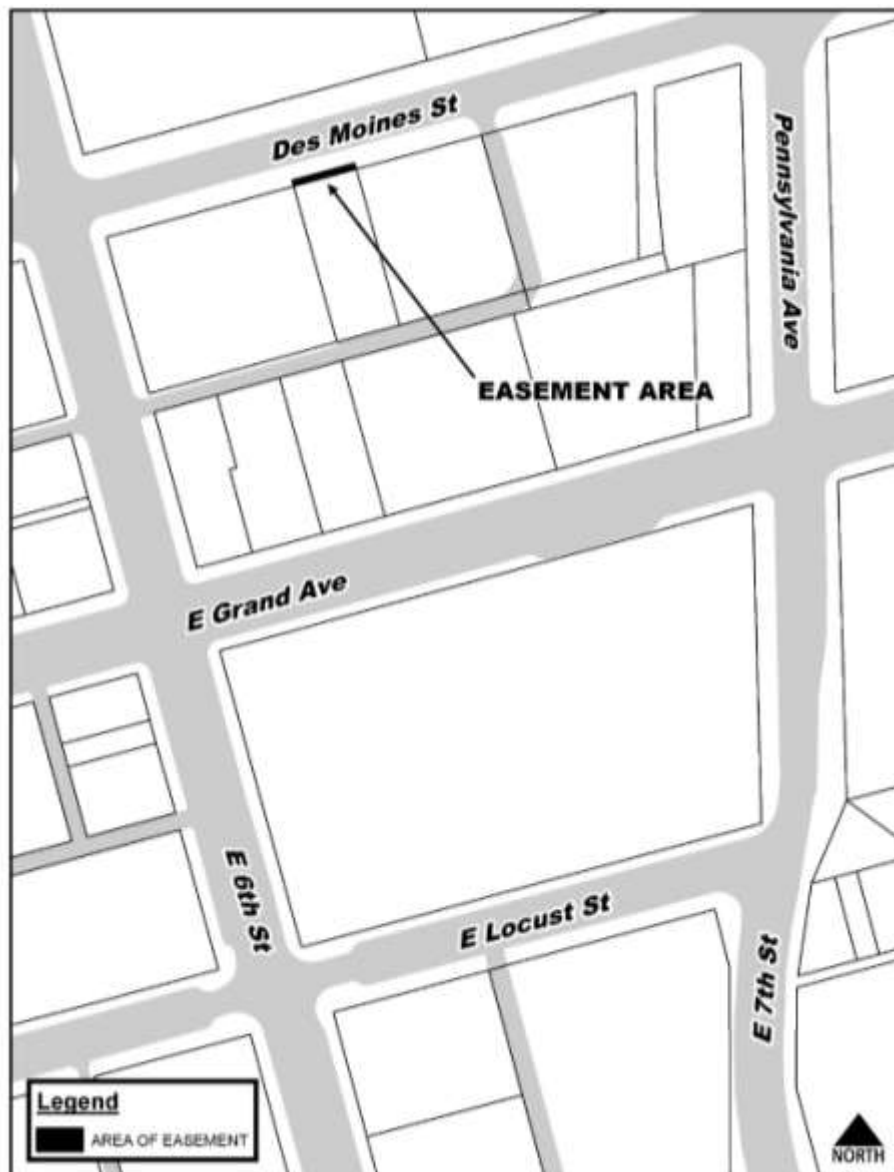
Amount: \$5,040 (Revenue)

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

ADDITIONAL INFORMATION:

- On December 18, 2017, by Roll Call No. 17-2164, the City Council of the City of Des Moines, Iowa, received and filed a communication from the City Plan and Zoning Commission recommending approval of a request from Optima Lifeservices, Inc. for the vacation of a segment of the south 6 feet of Des Moines Street right-of-way adjoining 621 Des Moines Street to allow for permanent encroachment of a deck addition, two entrance door swings, and a planter area into the City right-of-way, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.
- Sari D. Bassman, Trustee of the Jerome T. Bassman and Sari D. Bassman Irrevocable Trust dated September 25, 2012, owner of the adjoining property at 621 Des Moines Street, has offered to the City the purchase price of \$5,040 for the purchase of a Permanent Easement for Building Encroachment in the Des Moines Street right-of-way adjoining its property. The

building encroachment easement area to be conveyed consists of approximately 480 square feet, and the purchase price of \$5,040.00 reflects the fair market value of the easement as determined by the City's Real Estate Division.



PREVIOUS COUNCIL ACTION(S):

Date: January 8, 2018

Roll Call Number: [18-0047](#)

Action: [On](#) vacation of a portion of Des Moines Street right-of-way adjoining 621 Des Moines Street and conveyance of an easement for building encroachment to Sari D. Bassman, Trustee of the Jerome R. Bassman and Sari D. Bassman Irrevocable Trust dated September 25, 2012, \$5,040, (1-22-18). Moved by Gatto to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: December 7, 2017

Resolution Number: 11-2017-1.17

Action: Staff recommends approval of the vacation of a segment of the south 6 feet of Des Moines Street adjoining the subject property, subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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