



Roll Call Number

16-0633

Agenda Item Number

66 VII

Date April 11, 2015

RESOLUTION SETTING HEARING ON VACATION AND CONVEYANCE OF  
EASEMENT TO 7&GRAND RAMP DEVELOPER, LLC, FOR SUBSURFACE  
BUILDING ENCROACHMENT UNDER A PORTION OF THE SOUTH SIDE OF  
THE 700 BLOCK OF HIGH STREET

WHEREAS, on this date by a prior resolution the City Council approved the sale of the City-owned block bounded by Grand Avenue and 7th, 8th and High Streets to 7&Grand Ramp Developer, LLC (hereinafter "7&Grand"), for the construction of a private parking garage with some ground level commercial space; and,

WHEREAS, the City and 7&Grand intended that the sale include all the easement areas within the adjoining street rights-of-way required for the construction of the planned parking garage; and,

WHEREAS, an additional easement for subsurface encroachments into the adjoining High Street right-of-way is required for the construction of the footings and foundation for the planned parking garage.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the subsurface area under a portion of the south side of the 700 block of High Street, more specifically described as follows:

The subsurface area lying below the public sidewalk on the South 10.0 feet of the High Street right-of-way lying North of and adjoining Block F, Grimmell's Addition to the Town of Fort Des Moines, an Official Plat; and lying below the South 10.0 feet of High Street right-of-way lying North of and adjoining the West 9.33 feet of 7th Street lying East of and adjoining said Block F, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. That if the City Council decides to vacate the above described right-of-way, the City of Des Moines proposes to convey an Easement for Building Setback within the vacated area to 7&Grand Ramp Developer, LLC, in consideration of its undertakings under that Urban Renewal Agreement for Sale of Land for Private Redevelopment.

3. That the meeting of the City Council at which the adoption of said ordinance and the conveyance of such easement is to be considered shall be on April 25, 2016, said meeting to be held at 5:00 p.m., in the Council Chambers.

( continued )



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4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

( Council Communication No. 16- 180 )

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7).

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk