 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 8, 2015
	Agenda Item No. <u>57</u> Roll Call No. <u>15-958</u> Communication No. <u>15-301</u> Submitted by: Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of subsurface rights within Walnut Street and 8th Street right-of-way and conveyance of a permanent subsurface easement to Employers Mutual Casualty Company (EMC) for \$1,090.

SYNOPSIS:

Recommend approval for vacation and conveyance of such subsurface easement to Employers Mutual Casualty Company, Harold Capps, Jr., Vice President, Director of Facilities, 717 Mulberry Street, Des Moines, Iowa, 50309, for installing, repairing, and maintaining the footings and foundations extending from the adjoining building at 219 8th Street. The City will not be inconvenienced by the conveyance of the easement area. This action is required by Iowa law prior to making a final determination on the proposed easement by resolution.

FISCAL IMPACT:

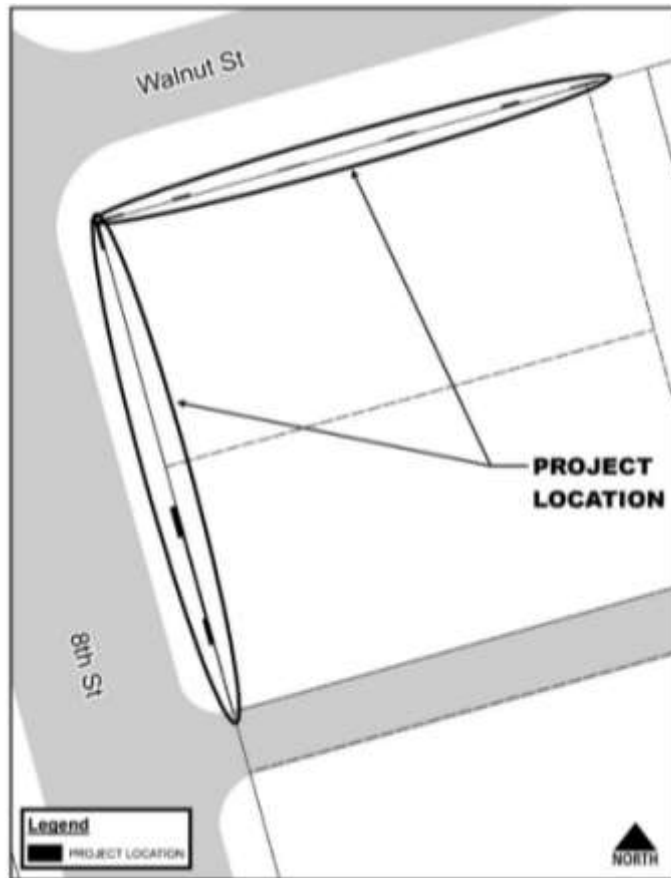
Amount: \$1,090 (Revenue)

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

ADDITIONAL INFORMATION:

EMC is the owner of the property at 219 8th Street upon which they intend to construct an expansion of their home office. EMC has offered the City of Des Moines the purchase price of \$1,090 for a permanent subsurface easement along Walnut Street and 8th Street rights-of-way adjoining 219 8th Street. The easement area consists of approximately 88-square-feet and is required for installation, operation, and maintenance of footings for the building being constructed at 219 8th Street.

Such subsurface portion of Walnut Street and 8th Street has been determined by the City Engineer and City Traffic Engineer to have a de minimis impact upon the public use of Walnut Street or 8th Street. 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: May 18, 2015

Roll Call Number: [15-0810](#)

Action: On vacation of subsurface rights within Walnut Street and 8th Street right-of-way and conveyance of a permanent subsurface easement to Employers Mutual Casualty Company, \$1,090, (6-8-15). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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