

Date December 3, 2007

Disposition – Principal Life Insurance Company: Page 1

SET HEARING FOR VACATION AND CONVEYANCE OF AN AIR SPACE EASEMENT ABOVE PARK STREET, BETWEEN 7TH STREET AND VACATED 8TH STREET, TO PRINCIPAL LIFE INSURANCE COMPANY FOR \$594

WHEREAS, on August 6, 2007, by Roll Call No. 07-1508, the City Council adopted a recommendation from the City Plan and Zoning Commission to vacate and convey an air space easement, hereinafter more fully described, to allow for a private enclosed pedestrian sky bridge between a proposed new parking structure north of Park Street and Principal Life Insurance Company’s office building south of Park Street; and

WHEREAS, the grantee identified below is the owner of property abutting such right-of-way and has offered to the City of Des Moines the purchase price identified below for the vacation and purchase of the air space easement described below.

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 an air space easement above Park Street, between 7th Street and vacated 8th Street, more specifically described as follows:

SKYWALK – AIR RIGHTS EASEMENT

ALL OF THE AIR SPACE FOR THAT PART OF PARK STREET RIGHT-OF-WAY ADJOINING BLOCK “Q” IN GRIMMEL’S ADDITION TO THE TOWN OF FORT DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK “Q” , THENCE NORTH 89°(DEGREES) 25’(MINUTES) 43”(SECONDS) WEST ALONG THE SOUTH LINE OF SAID BLOCK “Q” AND THE NORTH RIGHT-OF-WAY LINE OF SAID PARK STREET, 127.17 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°13’56” EAST, 66.01 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID PARK STREET; THENCE NORTH 89°25’43” WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 18.00 FEET; THENCE NORTH 0°13’56” WEST, 66.01 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°25’43” EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, 18.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES (1,188 S.F.). WHICH IS BELOW A PLANE ELEVATION OF 103.00 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 85.92 FEET CITY DATUM AT THE NORTH END OF THE SKYWALK, AND WHICH IS BELOW A PLANE ELEVATION OF 103.00 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 85.42 FEET CITY DATUM AT THE SOUTH END OF THE SKYWALK. (ASSUMED GROUND LEVEL ELEVATION (0.00’) BEING 61.50 FEET CITY DATUM.

DESCRIPTION REVIEWED
12/13/07
12/13/07

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Disposition – Principal Life Insurance Company: Page 2

2. That if the City Council decides to vacate the above described air space, the City of Des Moines proposes to sell such air space easement, as described below, to the grantee and for the consideration identified below:

To: Principal Life Insurance Company for \$594

SKYWALK – AIR RIGHTS EASEMENT

ALL OF THE VACATED AIR SPACE FOR THAT PART OF PARK STREET RIGHT-OF-WAY ADJOINING BLOCK “Q” IN GRIMMEL’S ADDITION TO THE TOWN OF FORT DES MOINES, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

DESCRIPTION REVIEWED
[Signature]
12-11-07

COMMENCING AT THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK “Q” , THENCE NORTH 89°(DEGREES) 25’(MINUTES) 43”(SECONDS) WEST ALONG THE SOUTH LINE OF SAID BLOCK “Q” AND THE NORTH RIGHT-OF-WAY LINE OF SAID PARK STREET, 127.17 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°13’56” EAST, 66.01 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID PARK STREET; THENCE NORTH 89°25’43” WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 18.00 FEET; THENCE NORTH 0°13’56” WEST, 66.01 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°25’43” EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, 18.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES (1,188 S.F.). WHICH IS BELOW A PLANE ELEVATION OF 103.00 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 85.92 FEET CITY DATUM AT THE NORTH END OF THE SKYWALK, AND WHICH IS BELOW A PLANE ELEVATION OF 103.00 FEET CITY DATUM AND WHICH IS ABOVE A PLANE ELEVATION OF 85.42 FEET CITY DATUM AT THE SOUTH END OF THE SKYWALK. (ASSUMED GROUND LEVEL ELEVATION (0.00’) BEING 61.50 FEET CITY DATUM.

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such air space easement is to be considered shall be on December 17, 2007, said meeting to be held at 5:00 p.m., in the Council Chamber.

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.

5. The proceeds from the sale of this property shall be deposited into the following account: 2007-08 Operating Budget, Page 259, Property Maintenance, SP767.

★ **Roll Call Number**

Agenda Item Number

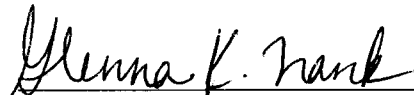
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Moved by _____ to adopt.

APPROVED AS TO FORM:



 Glenna K. Frank
 Assistant City Attorney

DM

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

 Mayor

CERTIFICATE

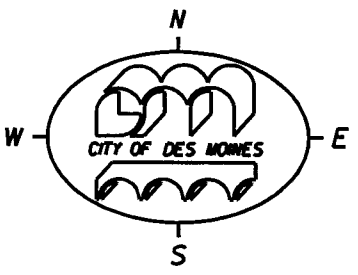
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

 City Clerk



**PROJECT
LOCATION**



**GENERAL DISPOSITION
AIR SPACE EASEMENT
PRINCIPAL LIFE INSURANCE COMPANY
ACTIVITY I.D. 34-2008-010**