



**Request for City Council Committee Action  
From the Department of Public Works**

**Date:** August 21, 2007

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Subject:** Encroachment of 11<sup>th</sup>&Marquette Parking Ramp on property owned by the adjacent Symphony Place development.

**Recommendation:**

- a. That the Director of Public Works be authorized to negotiate and the proper City officers be allowed to execute an Easement Agreement between the Fund IX SP Minneapolis, LLC and the City of Minneapolis regarding encroachment of the 11<sup>th</sup>&Marquette Municipal Parking Ramp facility upon the parcel known as Symphony Place owned by Fund IX SP Minneapolis LLC.

**Previous Directives:**

None

**Prepared by:** Bill Prince, P.E., Parking Project Engineer, Traffic & Parking Services, 673-3901  
Jon Wertjes, P.E., PTOE, Director, Traffic & Parking Services

**Approved by:**

\_\_\_\_\_  
Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Bill Prince, P.E., Parking Project Engineer, Traffic & Parking Services

Permanent Review Committee (PRC)      Approval \_\_\_\_\_ Not applicable   X    
Policy Review Group                      Approval \_\_\_\_\_ Not applicable   X  

**Financial Impact** (Check those that apply)

- X   No financial impact - or - Action is within current department budget (If checked, go directly to Background/Supporting Information)
- \_\_\_\_\_ Action requires an appropriation increase to the Capital Budget
- \_\_\_\_\_ Action requires an appropriation increase to the Operating Budget
- \_\_\_\_\_ Action provides increased revenue for appropriation increase
- \_\_\_\_\_ Action requires use of contingency or reserves
- X   Business Plan:   X   Action is within the plan.    \_\_\_\_\_ Action requires a change to plan.
- \_\_\_\_\_ Other financial impact (Explain): Special assessment against benefited properties

— Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

**Community Impact**

Neighborhood Notification: Not Applicable

City Goals: Satisfy legal responsibilities with adjacent property owners.

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

**Background/Supporting Information:**

The Symphony Place development, located at the northeast corner of the intersection of Marquette Avenue and 12<sup>th</sup> Street South, was recently sold by the group known as Orchestra Hall Associates to the group known as Fund IX SP Minneapolis, LLC. An Early Entry Agreement dated August 4, 1989 between grantor Orchestra Hall Associates and the grantee City of Minneapolis acknowledged the willingness of the grantor to grant a permanent easement to the City for purposes of constructing an addition to the ramp then known as Orchestra Hall Municipal Ramp. That permanent easement was never formalized or documented.

This easement agreement was requested by the new owners of Symphony Place and will create and formalize the permanent easement for the City owned ramp upon Symphony Place property as well as allow for access to the city owned ramp for maintenance of Symphony Place related equipment located on ramp property. As seen on attached easement diagram exhibit, the easement area is about 2.25' x 140' on the west side of the ramp addition.

This easement agreement will not have any financial impact on the City of Minneapolis.