

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Easement Agreement and Historic Preservation Covenant with the City of Iowa City
Date: January 6, 2003

Recommended Actions:

1. Approve the water main and sanitary sewer easement agreement with the City of Iowa City for the City's continued operation and maintenance of utility lines on the vacated portion of Grand Avenue Court, subject to approval of the Executive Council of Iowa.
2. Approve the restrictive covenant with the City of Iowa City which would impose the City's Historic Preservation Regulations on the University-owned Cannon House located east of the vacated portion of Grand Avenue Court.

(ROLL CALL VOTE)

Executive Summary:

At the University's request, the City of Iowa City agreed to vacate a portion of the Grand Avenue Court right-of-way north of Melrose Avenue on the west campus. (A map of the area is included as Attachment A.)

- This action would facilitate construction of the Gerdin Athletic Learning Center west of Grand Avenue Court; it is also consistent with the University's long-range plans to create a more pedestrian-oriented environment for the west campus area.

The City's vacation of this area requires the University to grant a permanent water main and sanitary sewer easement to the City for continued maintenance of the utilities in this area.

- The easement agreement requires approval of the Executive Council of Iowa.
- The easement agreement has been reviewed by the Attorney General's Office and is recommended for approval.

The University has also agreed to a restrictive covenant applying the City's Historic Preservation Regulations to the University-owned Cannon House located east of the Grand Avenue Court right-of-way.

- The original portion of the house, constructed in the 1880s, is designated as an Iowa City historical landmark.

Background and Analysis:

Background

The University has acquired all properties fronting Grand Avenue Court on the west campus.

The majority of the recent property acquisitions were at the site of the Gerdin Athletic Learning Center, which is currently under construction west of Grand Avenue Court and north of Melrose Avenue.

Located east of Grand Avenue Court is the University-owned Cannon House, an historic 1880s-vintage residence.

- The original portion of the house is designated as an Iowa City historical landmark; its builder, W. D. Cannon, is believed to be the first person of European descent born in Johnson County.
- The Board approved the University's purchase of the Cannon House from the University of Iowa Facilities Corporation in May 2002; it is currently used by the College of Law for distinguished visitors.

The University's long-range plan for the west campus area includes creation of a more pedestrian-oriented environment; accordingly, the University has been working with the City of Iowa City to secure the Grand Avenue Court right-of-way.

Easement Agreement

The City agreed to vacate a 6,785 square foot portion of the Grand Avenue Court right-of-way at this time to facilitate construction of the Gerdin Athletic Learning Center.

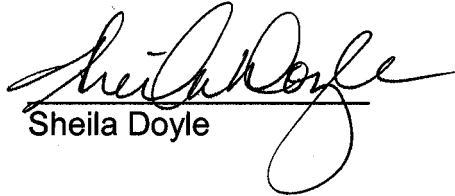
The University has agreed to grant a permanent water main and sanitary sewer easement to the City for the City's continued operation and maintenance of the utilities in the vacated area.

- The easement area consists of a 23-foot wide strip of land extending 295 feet north of Melrose Avenue.
- The easement agreement requires approval of the Executive Council of Iowa as required by Iowa Code.
- The easement agreement requires the City to indemnify, defend and save the Board of Regents and the University from damages resulting from use of the easement area.

Historic
Preservation
Covenant

The University has also agreed to a restrictive covenant applying the City's Historic Preservation Regulations to the Cannon House.

- This would ensure that any modifications to the house, including its relocation, are consistent with the era of the original building's construction.


Sheila Doyle

Approved: 
Gregory S. Nichols