

★ **Roll Call Number**

Agenda Item Number

.....
Date..... February 11, 2008.....

.....
Developer's Easements – Joe's Square LLC.: Page 1

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**ACCEPTANCE OF REAL ESTATE DOCUMENTS FOR PROPERTY LOCATED
AT 4049 FAGEN DRIVE FROM JOE'S SQUARE, L.L.C.**

WHEREAS, the City has requested and received an easement from the property owner as a part of the development process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached document conveying property interests, recommended for approval and acceptance by the Real Estate Division of the Engineering Department, be and is hereby approved and accepted as follows:

Property Owner:	Joe's Square, L.L.C.
Property Location:	4049 Fagen Drive
Document Type:	Permanent Easement for Public Pedestrianway
Consideration:	\$ 1.00 plus closing costs

That the Finance Director is authorized and directed to issue checks in the amounts necessary to carry out the transactions and to pay any unforeseen additional costs certified by the Legal Department and the Engineering Department; the Real Estate Division Manager is authorized and directed to obtain the checks, if any, needed to carry out these transactions and to deliver them to the payees.

That the Real Estate Division of the Engineering Department is directed to obtain the Legal Department's review and approval of all closing documents prior to closing.

That the City Clerk is hereby authorized and directed to endorse upon the Easement the approval and acceptance of this Council and is further authorized and directed to deliver the said Easement to the Real Estate Division Manager, who shall proceed to closing in accordance with standard real estate practices.

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Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank,
 Assistant City Attorney

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

EASEMENT EXHIBIT

EASEMENT DESCRIPTION:

A 6.00 FOOT WIDE PUBLIC ACCESS EASEMENT OVER AND ACROSS A PORTION OF LOTS 10 AND 11 OF FAGEN PARK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, IS DESCRIBED AS FOLLOWS:
 THE SOUTH 60.00 FEET OF LOT 10 AND THE SOUTH 6.00 FEET OF THE WEST 15.00 FEET OF LOT 11, ALL IN SAID FAGEN PARK.

EASEMENT AREA:

1,427 SQUARE FEET

PREPARED FOR:

CITY OF DES MOINES
 RIGHT OF WAY DEPARTMENT

SITE ADDRESS:

4049 FAGEN DRIVE
 DES MOINES, IOWA 50310

PROPRIETOR:

JOSEPH GUIDICCESSI
 5967 HICKORY CT.
 JOHNSTON, IOWA 50131

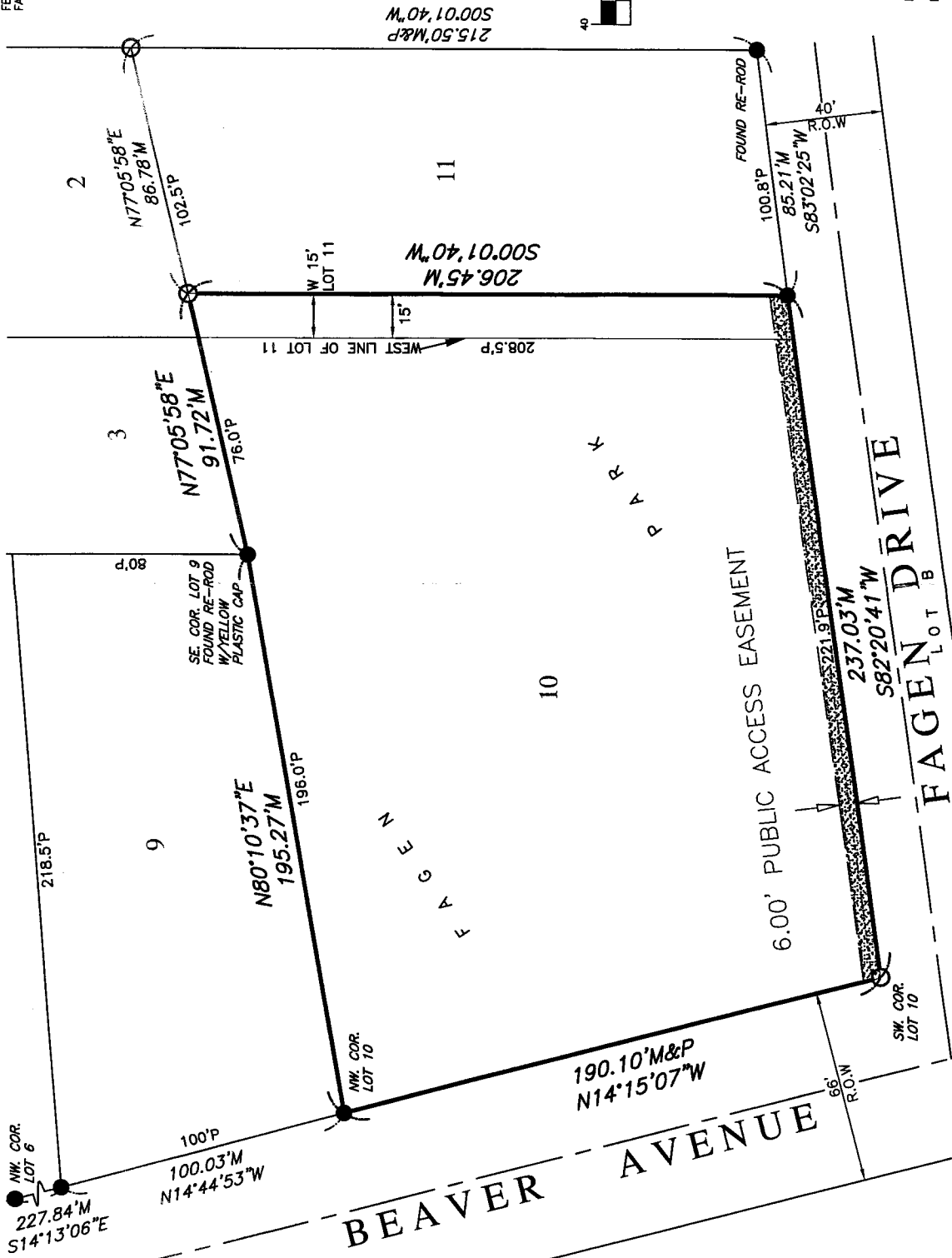
BAR SCALE



SCALE: 1" = 40'

SURVEY LEGEND:

- PROPERTY CORNER— FOUND IRON PIPE UNLESS OTHERWISE NOTED
- PROPERTY CORNER— PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID #14775
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- D DEEDED DISTANCE
- P.R.A. PREVIOUSLY RECORDED AS
- R.O.W. RIGHT-OF-WAY



CLIENT NUMBER: 129
 DRAWING NO.: 06
 0580

REF. DWG. NUMBER: 66-43-S
 DRAWN BY: PLD

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME AND THE RELATED SURVEY WORK WAS PERFORMED UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
 LICENSE RENEWAL DATE: 31 DECEMBER 2008
 SIGNED: *Larry D. Hylar*
 LARRY D. HYLER P.L.S. 14775
 DATE: 5-22-02



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