

Date..... February 12, 2007

RESOLUTION CONTINUING PUBLIC HEARING  
ON VOLUNTARY ANNEXATION

WHEREAS, on December 4, 2006, by Roll Call No. 06-2376, the City Council resolved that the Application for Voluntary Annexation from Mid-America Investment Co., and Mid-America Real Estate Co., both represented by Teresa Wahlert, President, and from NW 77 JV, an Iowa general partnership represented by Alan Rivers, seeking the voluntary annexation by the City of Des Moines of approximately 217 acres in the vicinity of 3930 SE 72nd Avenue (E. Pine Avenue), together with portions of the adjoining rights-of-way, be set down for consideration by the City Council at a public hearing to be held in the Council Chambers on January 22, 2007, at 5:00 p.m.; and,

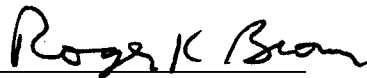
WHEREAS, the subject property is now owned entirely by Mid-America Real Estate Co., represented by Teresa Wahlert, President; and,

WHEREAS, on January 22, 2007, by Roll Call No. 07-167, the hearing was continued to February 12, 2007, to allow time to remedy an error in giving proper notice of the hearing; and,

WHEREAS, Mid-America Real Estate Co., has requested that the annexation be continued until February 26, 2007, to allow additional time for the applicant to meet with the City staff to address a number of issues related to the annexation, including the responsibility for planned improvements to the adjoining streets.

MOVED by \_\_\_\_\_ to continue the public hearing on the annexation until February 26, 2007, at 5:00 p.m., in the Council Chambers.

FORM APPROVED:

  
Roger K. Brown  
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

67E

Roger K. Brown  
Assistant City Attorney  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 550309-1891

Re: Annexation of Mid-America Real Estate Property

Dear Roger:

The Application for voluntary annexation of the property now owned by Mid-America Real Estate Co. ("Mid-America") is set for Des Moines City Council action on February 12, 2007. Mid-America still desires to have the property voluntarily annexed by the City of Des Moines, but since there are some open items still to be resolved with regard to the voluntary annexation, Mid-America respectfully requests that the hearing on this voluntary annexation be continued to the next regularly scheduled Des Moines City Council meeting. In the meantime, Mid-America will work expeditiously with City staff to resolve all issues with regard to the voluntary annexation request.

Sincerely  
MID-AMERICA REAL ESTATE CO.

By: 