

Date..... February 25, 2008

WHEREAS, the Max and June N. Ten Hagen Trusts seek to subdivide property they own in the 2700 Block of Highway 65/69 in Warren County by an administratively approved Plat of Survey; and,

WHEREAS, the proposed Plat of Survey creates a large Parcel known as the "remainder parcel" that could be subdivided into multiple lots for residential development and to provide street connections to future development on the adjoining properties; and,

WHEREAS, the Permit and Development Center Coordinator has conditionally approved the Plat of Survey pursuant to Section 106-198(d) of the City Subdivision Regulations, subject to the owners filing a Declaration of Covenants restricting development on the "remainder parcel" to preserve the potential for such parcel to be subdivided in the future; and,

WHEREAS, the Max and June N. Ten Hagen Trusts have signed the Declaration of Covenants prepared by the City Legal Department, which is on file and available for public inspection in the office of the City Clerk, NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The Declaration of Covenants is hereby approved and accepted.
2. The City Clerk is hereby authorized and directed to certify to the City's acceptance of the Declaration of Covenants. The City Clerk is further directed to release the original document to the Ten Hagen Trust for recording at their expense to the Warren County Recorder's Office.

MOVED by _____ to adopt.

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