

Date March 9, 2009

HEARING ON ADOPTION OF THE PROPOSED RESOLUTION
OF NECESSITY FOR STREET IMPROVEMENTS

WHEREAS, on February 9, 2009, under Roll Call No. 09-173, the City Council set this time and place for a hearing to receive and consider both written and oral objections and endorsements to the adoption of the proposed Resolution of Necessity for the construction of the following street improvements:

- Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt eight (8) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities on Bell Avenue from Druid Hill Drive to the Dead End East, Activity I.D. 06-2009-010, Schedule No. 2009-01.

and authorized notice of this hearing be duly published and mailed to property owners and other persons having an interest in the matter as required by law; and

WHEREAS, this City Council now meets as specified in the published notice to receive and consider all field, written and oral objections and endorsements to the proposed Resolution of Necessity.

WHEREAS, on January 17, 1983, under Roll Call Number 83-333, the City Council adopted a formal policy regarding adoption of the Resolution of Necessity which stated that

1. The City Council shall require 60% or more of the preliminary assessment cost of properties included in the assessment district represented by property owners being opposed to the street improvement before the street is deleted from the program.
2. Where it is determined by the City Engineering Department that a street has drainage problems that can only be corrected by street paving, the City Council shall require 65% or more of the preliminary assessment cost of properties included in the assessment district represented by property owners being opposed to the street improvement before the street is deleted from the program.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That all filed, written and oral objections and endorsements having been fully reviewed and considered, the hearing on the adoption of the proposed Resolution of Necessity for the construction of said street improvements is now concluded and closed.

BE IT FURTHER RESOLVED: That the special assessments have been prepared in accordance with Council policy approved on June 26, 2000, under Roll Call No. 00-1876; therefore, Default Fund was not included in these special assessments.

BE IT FURTHER RESOLVED: That the proposed Resolution of Necessity described above for construction of the following street improvement:

★ Roll Call Number

Agenda Item Number

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Date March 9, 2009

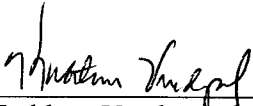
- Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt eight (8) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities on Bell Avenue from Druid Hill Drive to the Dead End East, Activity I.D. 06-2009-010, Schedule No. 2009-01.

is hereby:

- _____ Adopted, without further amendment, and all objections filed or may have been duly considered are overruled.
- _____ Adopted as amended. All objections filed or made having been duly considered are overruled.
- _____ Closed regarding the Hearing and Action Deferred for later consideration to a Council meeting to be held on _____, 2009, next at 5:00 o'clock P.M., at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- _____ Abandoned.

Moved by _____ to adopt.

(Council Communication Number 09-147 attached)

FORM APPROVED: 
Kathleen Vanderpool, Deputy City Attorney

Funding: 2009-2010 CIP, Page Street-6, City-wide Paving Program, STR013, being \$52,135.01 from Special Assessments against benefited property owners and \$251,864.99 in G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

Mayor

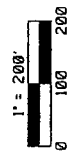
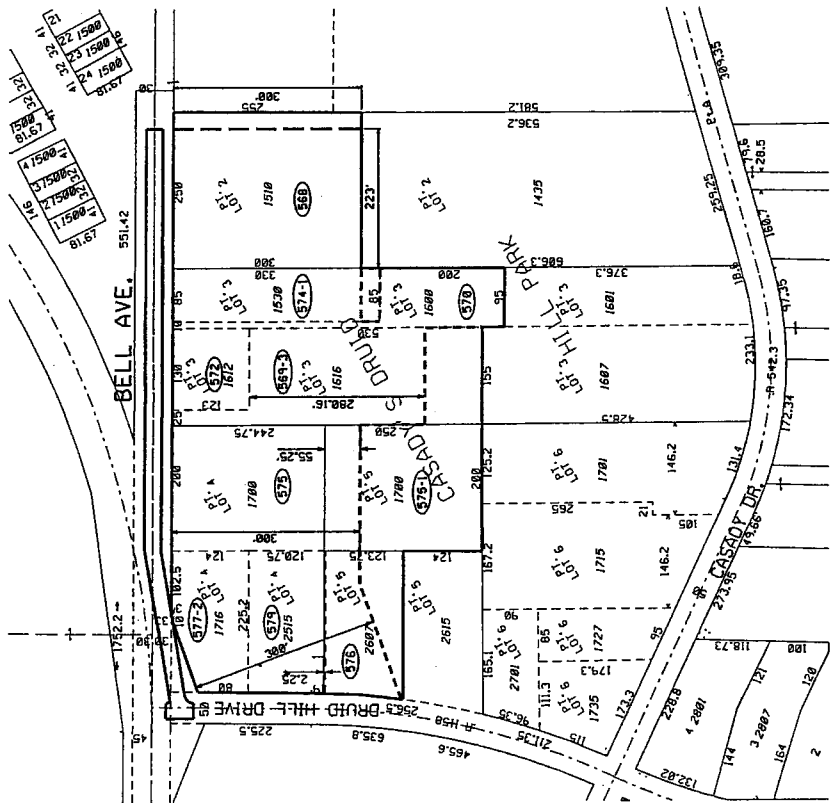
CERTIFICATE

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

DISTRICT 1



LEGEND

- AREA -XXX SQ. FT.
X.XX ACRES
- ASSESSMENT BOUNDARY
- AREA CALCULATION LINE
- C.L.R.
- LOT LINE
- OWNERSHIP LINE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- (XXX-X) PARCEL

BELL AVENUE PAVING
ACTIVITY I.D. 06-2009-010

PRELIMINARY ASSESSMENT SCHEDULE TABULATION

for

Bell Avenue Street Paving
Druid Hill Dr. to Dead End
Activity ID No. 06-2009-010
Schedule No. 2009-01

Tabulation of Assessable Costs

50% Full Width Pavement (See Note 1)	24,510.00	Estimated Construction Cost	250,000.00
Plus 50% Estimated Driveway Approach Cost	2,625.00	ROW and Easements	4,000.00
Plus Engineering Incidental Costs (Max. 10% Const. Cost)	<u>25,000.00</u>	Plus Engineering Incidental Costs	<u>50,000.00</u>
Total Assessable Cost to be spread	52,135.00	Total Estimated Project Cost	<u>304,000.00</u>
Schedule Rounding Adjustment (+ or -)	0.01	Less Total Assessable Cost to be spread	<u>52,135.00</u>
Less City Participation: Minimum (Under \$5)	0.00	Subtotal Non-Assessable Costs	251,865.00
Less City Participation: Corner Lots	0.00	Schedule Rounding Adjustment (+ or -)	-0.01
Less City Participation: Non-Assessable Property	0.00	Plus City Participation: Minimum	0.00
Less City Participation: Deficit	<u>0.00</u>	Plus City Participation: Corner Lots	0.00
Total To Be Assessed	\$ 52,135.01	Plus City Participation: Non-Assessable Property	0.00
		Plus City Participation: Deficit	0.00
		Total City Cost	\$ 251,864.99

Total Points 109,900.82
Point Rate 0.474382266

Note 1:

The north side of Bell Ave. in the area proposed to be paved in either Thomas Beck Road Right-Of-Way or a condominium with private streets to Thomas Beck Road and no access to Bell Avenue. Therefore, the 50% cost for the north half of width paving will be non-assessed City of Des Moines cost. Also, the pavement west of the east Right-Of-Way line of Druid Hill Drive is non-assessable.

Note 2:

On June 26, 2000, under Roll Call No. 00-1876, the City Council adopted revisions to the assessment policy for paving residential streets with intermediate Paving performed under contract which provides that the following shall be assessed: 50% of the Pavement and Curb Construction Cost 50% of the Driveway Approach Cost Engineering Design and Inspection Costs (Maximum of 10% of Construction Cost) No Default Fund would be included in the Total to be Assessed

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PRELIMINARY
ASSESSMENT SCHEDULE NO 2009-01

Bell Avenue Street Paving - Druid Hill Dr. to Dead End

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	OWNERS NAME PROPERTY ADDRESS	VALUATION		ASSESSMENT POINTS	TO BE ASSESSED	OR SUBSIDY	DEFICIT
			W/IMPROVEMENT IN PLACE	NET TO BE ASSESSED:				
010/00568-000-000 NLY 300F LOT 2 CASADYS DRUID HILL PARK	01-36918-00	T LUREMAN, PROCTOR K 1510 BELL AVE	195,000	NET TO BE ASSESSED:	22,300.00	10,578.72		PROCTOR K LUREMAN 1510 BELL AVE DES MOINES, IA 50315-1021
010/00574-001-000 N 330F E 85F LOT 3 CASADYS DRUID HILL PARK	01-36919-00	T LUCHT, ANN M T LUCHT, DANIEL D 1530 BELL AVE	215,000	NET TO BE ASSESSED:	8,500.00	4,032.25		ANN M LUCHT 1530 BELL AVE DES MOINES, IA 50315-1021
010/00570-000-000 S 200F N 530F E 95F & W 10F E 95F N 330F LT 3 CASADYS DRUID HILL PARK	01-36920-00	T SHELLEDY (TRUSTEE), WILLIAM T SHELLEDY (TRUSTEE), JEANNE R T WJS TRUST T JRS TRUST 1600 BELL AVE	176,000	NET TO BE ASSESSED:	9,223.02	4,375.24		WILLIAM J SHELLEDY (TRUSTEE) 1600 BELL AVE DES MOINES, IA 50315-1023
010/00569-003-000 -EX N 123F E 130F- N 494.75F W 155F LOT 3 CASADYS DRUID HILL PARK	01-36921-00	T HIGGINS, MARI T ALBRIGHT (TRUSTEE), WILLIAM F JR T WILLIAM F ALBRIGHT SR REV TRUST 1616 BELL AVE	187,000	NET TO BE ASSESSED:	15,500.00	7,352.93		WILLIAM F ALBRIGHT (TRUSTEE) 5940 SE 19TH ST DES MOINES, IA 50320-1720
010/00572-000-000 N 123F E 130F W 155F LOT 3 CASADYS DRUID HILL PARK	01-36922-00	T GRAZIANO, NICOLE M 1612 BELL AVE	240,000	NET TO BE ASSESSED:	10,998.00	5,217.26		NICOLE M GRAZIANO 1612 BELL AVE DES MOINES, IA 50315-1023
010/00575-000-000 E 200F LT 4 CASADYS DRUID HILL PARK	01-36923-00	T PAULETTE REVEIZ REVOCABLE TRUST 1700 BELL AVE	329,000	NET TO BE ASSESSED:	19,537.00	9,268.01		PAULETTE R VEIZ 1700 BELL AVE DES MOINES, IA 50315-1025
010/00575-001-000 E 200F LT 5 CASADYS DRUID HILL PARK	01-36924-00	T PAULETTE REVEIZ REVOCABLE TRUST 1700 BELL AVE	11,000	NET TO BE ASSESSED:	463.00	219.64		PAULETTE REVEIZ 1700 BELL AVE DES MOINES, IA 50315-1025
010/00576-000-000 -EX E 200F- N 123.75F S 247.75F LOT 5 CASADYS DRUID HILL PARK	01-36925-00	T BANNON, PATRICK J 2607 DRUID HILL DR	182,000	NET TO BE ASSESSED:	848.98	402.74		PATRICK J BANNON 2607 DRUID HILL DR DES MOINES, IA 50315-1842
010/00579-000-000 -EX E 200F-S 120.75F LOT 4 & N	01-36926-00	T WILSON, JOEL T WILSON, NANCY	300,000	NET TO BE ASSESSED:	3,691.04	1,750.96		JOEL WILSON 2515 DRUID HILL DR

PRELIMINARY
ASSESSMENT SCHEDULE NO 2009-01

Bell Avenue Street Paving - Druid Hill Dr. to Dead End

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	OWNERS NAME PROPERTY ADDRESS	VALUATION		ASSESSMENT POINTS	TO BE ASSESSED	DEFICIT OR SUBSIDY	MAILING ADDRESS
			W/IMPROVEMENT IN PLACE					
2.25F LOT 5 CASADYS DRUID HILL PARK		2515 DRUID HILL DR				1,750.96		DES MOINES, IA 50315-1840
010/00577-002-000 -EX BEG 44F S OF NW COR THN N TO NW COR E 122.5F S 3F W 10F SW TO POB- W 225.2F N 124F	01-36927-00	T WILLIAMS, STEVE L 1716 BELL AVE	173,000		18,839.78	8,937.26		STEVE L WILLIAMS 1716 BELL AVE DES MOINES, IA 50315-1025
LOT 4 CASADYS DRUID HILL PARK						8,937.26		

Total Points	109,900.82
Total Assessment Cost	\$ 52,135.01
Less Total C.L.R.	\$ -
Net Assessable Cost	\$ 52,135.01

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