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Date March 10, 2008

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Developer's Easements – Hooper Family, LLC: Page 1

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FOR SHARED PRIVATE
SANITARY SEWER LINE MAINTENANCE COVENANT AND PERMANENT
EASEMENT AGREEMENT FOR PROPERTIES LOCATED AT 1450 AND 1500
DELAWARE AVENUE FROM HOOPER FAMILY, L.L.C.**

WHEREAS, Hooper Family, L.L.C. (the “Developer”) seeks approval of a site plan at 1450 and 1500 Delaware Avenue; and,

WHEREAS, the site plan has been conditionally approved, subject to the dedication of the Shared Private Sanitary Sewer Line Maintenance Covenant and Permanent Easement Agreement identified below; and,

WHEREAS, the following real estate document have been recommended for approval and acceptance by the Real Estate Division of the Engineering Department; **NOW THEREFORE**,

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

1. The following real estate document provided by the Developer and dedicated to the City of Des Moines in consideration for the City’s approval of the site plan at 1450 and 1500 Delaware Avenue, is hereby approved and accepted:

Shared Private Sanitary Sewer Line Maintenance Covenant and Permanent Easement Agreement

2. That the City Clerk is hereby authorized and directed to endorse upon the real estate document the approval and acceptance of this Council and is further authorized and directed to deliver the said real estate document to the Real Estate Division Manager for recording.
3. The Finance Director is authorized and directed to issue checks in the amounts necessary to record the real estate document and to pay any unforeseen and 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 record the real estate document, and deliver to the payees.

★ **Roll Call Number**

Agenda Item Number

17

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Date March 10, 2008

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 Developer's Easements – Hooper Family, LLC: Page 2

MOVED by _____ to adopt.

APPROVED AS TO FORM:

Roger K Brown
 Roger K. Brown,
 Assistant City Attorney

DR

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

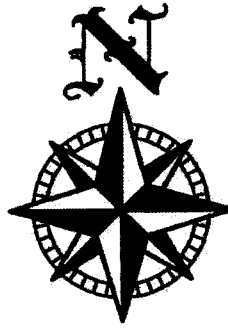
CERTIFICATE

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.

MOTION CARRIED APPROVED
 _____ Mayor

_____ City Clerk



SCALE: 1"=100'

EASEMENT DESCRIPTION:

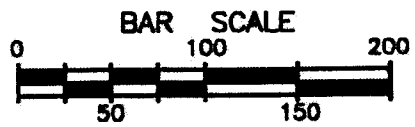
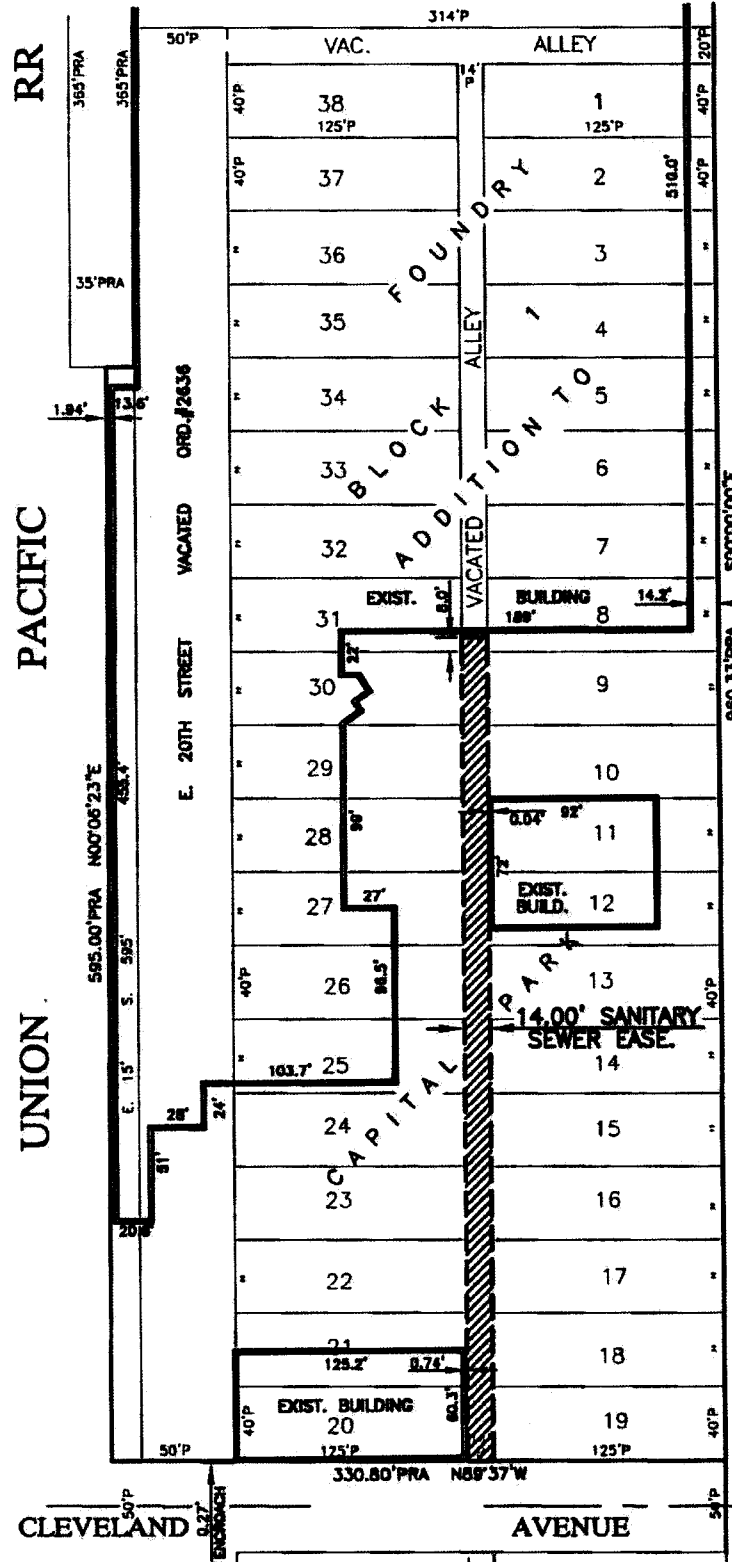
A SANITARY SEWER EASEMENT OVER AND ACROSS A PORTION OF BLOCK 1 IN FOUNDRY ADDITION TO CAPITAL PARK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA DESCRIBED AS:
THE 14.00 FEET WIDE VACATED ALLEY LYING WEST OF AND ADJOINING THE SOUTH 8.00 FEET OF LOT 8 AND WEST OF AND ADJOINING LOTS 9 THRU 19 INCLUSIVE, ALL IN BLOCK 1 IN SAID FOUNDRY ADDITION TO CAPITAL PARK

PROPRIETOR:

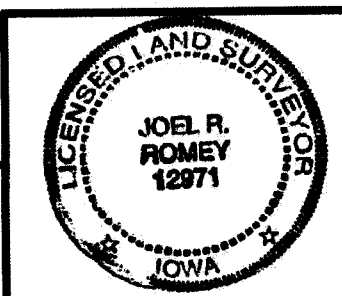
HOOPER FAMILY, LLC
1701 E. EUCLID AVENUE
DES MOINES IOWA 50313

PREPARED FOR:

RUHL & RUHL COMMERCIAL
% BRIAN ERICKSON
1701 48th STREET
WEST DES MOINES IOWA 50266



DRAWING NO.
'06-0563



Bishop Engineering
 "Planning Your Successful Development"
 3501 104th Street
 Des Moines Iowa 50322
 Civil Engineering & Land Surveying Established 1959

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 DEC. 2007 PAGES COVERED BY THIS SEAL: THIS PAGE ONLY

SIGNED: *Joel R. Romey* DATE: *02/07/07*
 JOEL R. ROMEY P.L.S. 12971