

Date March 20, 2006

SET HEARING FOR THE CONVEYANCE OF A PERMANENT EASEMENT FOR WATER MAIN RIGHT-OF-WAY AND TEMPORARY EASEMENT FOR CONSTRUCTION ON THE SOUTH SIDE OF LOCUST STREET BETWEEN 2<sup>ND</sup> AVENUE AND THE DES MOINES RIVER BRIDGE, FOR THE DES MOINES RIVER OUTFALL AND OVERFLOW 2 PROJECT, TO THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES FOR \$1.00

WHEREAS, the Des Moines River Outfall and Overflow 2 Project requires the relocation of a water main and the Board of Water Works Trustees of the City of Des Moines will need a Permanent Easement for Water Main Right-of-Way and a Temporary Easement for Construction across City-owned property located on the south side of Locust Street between 2<sup>nd</sup> Avenue and the Des Moines River bridge for the general public purpose of construction of a water main, such property interests are more specifically described below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

- 1. The City Council of the City of Des Moines proposes to grant the following described easements located on the south side of Locust Street between 2<sup>nd</sup> Avenue and the Des Moines River bridge to the Board of Water Works Trustees of the City of Des Moines, a government body, for a public purpose, for the consideration of \$1.00 as authorized by Iowa Code § 364.7(3):

A PERMANENT WATER MAIN EASEMENT DESCRIBED AS:

A PART OF BLOCK 33, FORT DES MOINES, AN OFFICIAL PLAT, AND THAT PART OF VACATED FIRST STREET, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE NORTH 15.0 FEET OF LOT 1 OF SAID BLOCK 33, AND THE NORTH 15.0 FEET OF VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 8 OF SAID BLOCK 33, AND THE NORTH 15.0 FEET OF LOT 8 OF SAID BLOCK 33, AND THE NORTH 15.0 FEET OF VACATED FIRST STREET RIGHT-OF-WAY LYING EAST OF AND ADJOINING BLOCK 33, OF SAID FORT DES MOINES.

A TEMPORARY CONSTRUCTION EASEMENT DESCRIBED AS:

A PART OF BLOCK 33, FORT DES MOINES, AN OFFICIAL PLAT, AND THAT PART OF VACATED FIRST STREET, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE SOUTH 15.0 FEET OF THE NORTH 30.0 FEET OF LOT 1 OF SAID BLOCK 33, AND THE SOUTH 15.0 FEET OF THE NORTH 30.0 FEET OF VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 8 OF SAID BLOCK 33, AND THE SOUTH 15.0 FEET OF THE NORTH 30.0 FEET OF LOT 8 OF SAID BLOCK 33, AND THE SOUTH 15.0 FEET OF THE NORTH 30.0 FEET OF

DESCRIPTION APPROVED [Signature] 3/15/06 11:46

★ Roll Call Number

Agenda Item Number

30

Date March 20, 2006


Dispositions – Des Moines Water Works

VACATED FIRST STREET RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 8, BLOCK 33, OF SAID FORT DES MOINES.

2. A public hearing shall be held on April 10, 2006, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.
3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with code section 362.3 of the Iowa Code.
4. There will be no proceeds associated with the conveyance of these easements.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 Ann DiDonato  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
BROOKS				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

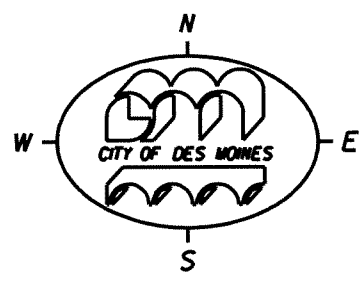
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk



**EASEMENT  
LOCATION**



**DES MOINES RIVER OUTFALL  
EASEMENTS  
ACT. I.D. 34-2006-041**