

Date..... April 10, 2006

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION

WHEREAS, the City of Des Moines has received an application from Todd H. Rueter, as President of Rueter Corp., seeking the voluntary annexation by the City of Des Moines of approximately 36 acres of land it owns in Warren County located west of County Highway R63 and south of Iowa Highway 5, more specifically described below; and,

WHEREAS, the territory proposed to be annexed adjoins the boundaries of the City of Des Moines, and is located within two miles of the City of Norwalk; and,

WHEREAS, the City is required to annex the adjoining portions of Iowa Highway 5 and County Highway R-63 as part of this annexation to comply with the requirements of Iowa Code Chapter 368; NOW THEREFORE,

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

1. The proposed annexation by the City of Des Moines of the territory shown by the map attached hereto as Exhibit "A", and as more specifically described below, shall be considered by the City Council at a public hearing to be held on May 22, 2006, at 5:00 p.m., in the Council Chambers, at which time the City Council will hear both those who oppose and those who favor the proposal:

Parcels No. 05360000070 and 05362000080

All of Lot 8 of Harbert's Subdivision in the Northwest 1/4 of the Northwest 1/4 and a part of Lot 7 in the Auditor's Plat of Harbert's Subdivision in the Northeast 1/4 of the Northwest 1/4, all in Section 9, Township 77 North, Range 24 West of the 5th P.M., Warren County, Iowa, more specifically described as follows:

Beginning at the Northwest corner of said Lot 8; thence South 01° (degrees) 18' (minutes) 28" (seconds) West 683.00 feet on the West line of said Lot 8 to the Southwest corner of said Lot 8; thence North 89°56'07" East 1321.58 feet along the South line of said Lot 8 to the Southeast corner of said Lot 8; thence North 00°22'59" East 52.22 feet along the East line of said Lot 8 to the Southwest corner of said Lot 7; thence North 89°46'36" East 776.12 feet along the South line of said Lot 7; thence South 62°41'32" East 539.32 feet along the South line of said Lot 7; thence North 05°58'48" West 667.59 feet; thence North 89°58'35" West 367.89 feet; thence North 60°44'39" West 410.79 feet to a point on the North line of said Lot 7; thence North 89°48'39" West 455.35 feet to the Northwest corner of said Lot 7, also being the Northeast corner of said Lot 8; thence North 89°41'16" West 1310.52 feet along the North line of said Lot 8 to the Point of Beginning, containing 36.29 acres, more or less.

Date..... April 10, 2006

AND, all the adjoining right-of-way of County Highway R63 not previously annexed into the City of Des Moines; and, all the adjoining portion of Iowa Highway 5 located in the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 77 North, Range 24 West of the 5th P.M., in Warren County, Iowa.

2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the form attached hereto, by publication in the Indianola Record Herald on April 26, 2006.
3. The Legal Department is hereby authorized and directed to cause notice of the hearing to be mailed to all interested parties at least 14 business days prior to the hearing as required by Iowa Code §368.7.
4. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the county board of supervisors and the township trustees. The consultation meeting shall be held at a time and location to be determined by the City Manager.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown

Assistant City Attorney
 C:\Rog\Annex\Warren Voluntary\Rueter\RC set hrg.doc

Accompanying Documents: _____

- Exhibit "A" - Map of the Territory
- Exhibit "B" - Application for Voluntary Annexation
- Notice of Hearing

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
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

Exhibit "A"

Territory Proposed to be Annexed

