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Date May 4, 2009.....

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF LINCOLN AVENUE SANITARY SEWER - VICTORIA DR. TO 33RD ST., ACTIVITY ID 07-2008-005, SCHEDULE NUMBER 2008-05

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES, IOWA: That after full consideration of the final schedule of assessments and accompanying plat showing the final assessments proposed to be made for the construction of the the Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, within the City, which was constructed as part of the Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, under contract with The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047, which attached final plat and schedule was filed in the office of the Clerk on May 4, 2009. Said final assessments have not been corrected, changed, or reduced from the preliminary assessment previously approved by the City Council.

BE IT FURTHER RESOLVED: That the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED: That said assessments of \$100.00 or more shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 4.93% per annum, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than \$100.00, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2009, succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after first date of publication of the filing and final plat and schedule of assessments.

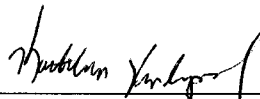
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Date May 4, 2009

BE IT FURTHER RESOLVED: That the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Polk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Des Moines Register, a newspaper printed wholly in the English language, published in Des Moines, Iowa, with a general circulation in Des Moines, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by certified mail to all property owners whose property is subject to assessment, a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED: That the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the City Official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

Moved by _____ to adopt.

FORM APPROVED: 
 Kathleen Vanderpool
 Deputy City Attorney



Funding Source: 2009-2010 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Being: \$33,169.37 from Special Assessments against benefited property owners and the remainder in Sanitary Sewer funds

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

FINAL ASSESSMENT SCHEDULE TABULATION

for

Lincoln Ave Sanitary Sewer

Victoria Ave to 33rd St

Activity ID No. 07-2008-005

Schedule No. 2008-05

Tabulation of Assessable Costs

Tabulation of City Costs

Total Construction Cost (P-1)	18,223.02	As-Built Construction Cost (Sewer, 8" Sanitary)	120,431.05
Type "A" Manhole (2 Each)	6,296.00	Plus Engineering Incidental Costs	<u>55,235.91</u>
Plus Engineering Incidental Costs (Max. 10% Const. Cost)	<u>12,043.11</u>	Total As-Built Project Cost	175,666.96
Total Assessable Cost to be spread	36,562.13	Less Total Assessable Cost to be spread	<u>36,562.13</u>
Preliminary Total Assessable Cost to be spread	35,540.00	Subtotal Non-Assessable Costs	139,104.83
Overrate	1,022.13	Schedule Rounding Adjustment (+ or -)	0.00
Schedule Rounding Adjustment (+ or -)	0.00	Overrate	1,022.13
Less City Participation: Minimum	0.00	Plus City Participation: Minimum	0.00
Less City Participation: Corner Lots	0.00	Plus City Participation: Non-Assessable Property	0.00
Less City Participation: Non-Assessable Property	0.00	Plus City Participation: Deficit	<u>2,370.63</u>
Less City Participation: Deficit	2,370.63	Total City Cost	<u>142,497.59</u>
Total To Be Assessed	<u>33,169.37</u>		

Total Points 41,413.00
Point Rate 0.858184628

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ACTUAL CONSTRUCTION COSTS

DEPARTMENT OF ENGINEERING
CITY OF DES MOINES, IOWA

Activity ID 07-2008-005
PROJ NO.:
03/24/09

PROJECT: Lincoln Ave Sanitary Sewer- Victoria Ave to 33rd St

NO.	DESCRIPTION	ESTIMATED UNITS			AMOUNT
		UNIT	TOTAL	UNIT PRICE	TOTAL
1	Clear and Grub	ACRE	0.51	\$9,803.93	\$5,000.00
2	Sanitary/Septic System Investigation	LS	1	\$2,800.00	\$2,800.00
3	Driveway Removal	SY	238.17	\$10.00	\$2,381.70
4	Full Depth Portland Cement Concrete Patch	SY	72	\$100.00	\$7,200.00
5	Driveway, HMA (300K ESAL) Surface, 1/2", 6" Thickness	SY	238.17	\$40.00	\$9,526.80
6	Fence Remove and replace	LF	71	\$28.00	\$1,988.00
7	Pump Septic tank	EACH	3	\$400.00	\$1,200.00
8	Abandon Septic Tank	EACH	3	\$400.00	\$1,200.00
9	Temporary Driveway Surfacing, HMA Millings	TON	0	\$2.00	\$0.00
10	Sewer, 8" Sanitary	LF	520	\$87.00	\$45,240.00
11	Type "A" Manhole (Sanitary Sewer)	EACH	4	\$3,148.00	\$12,592.00
12	Sanitary Sewer Service Pipe	LF	0	\$86.00	\$0.00
13	Sanitary Sewer Service Pipe, Ductile Iron	LF	142.3	\$102.00	\$14,514.60
14	Sanitary Sewer Service Connection	EACH	4	\$110.00	\$440.00
15	Engineering Fabric, Geogrid Stabilization	SY	49.77	\$5.00	\$248.85
16	Foundation Rock	TON	0	\$20.00	\$0.00
17	Sod	SQ	135.35	\$40.00	\$5,414.00
18	Mobilization	LS	1	\$4,990.00	\$4,990.00
19	Project Sign, Small	EACH	0	\$100.00	\$0.00
20	Traffic Control	LS	1	\$1,586.00	\$1,586.00
1.01	Plumbing Repairs	LS	1	\$3,151.50	\$3,151.50
2.01	Hydro Seeding	SF	6840	\$0.14	\$957.60
	Total Construction Cost				\$120,431.05
	Assessed Costs				
	Sewer, 8" Sanitary (P-1)	LF	209.46	\$87.00	\$18,223.02
	Type "A" Manhole (Sanitary Sewer)	EA	2	\$3,148.00	\$6,296.00
	Engineering Incidental Costs (Max. 10% Const. Cost)				\$12,043.11
	Total Assessed Costs				\$36,562.13
TOTAL CONSTRUCTION COST					\$120,431.05

Prepared By: Matt Becker

Checked By _____

FINAL
ASSESSMENT SCHEDULE NO 2008-05

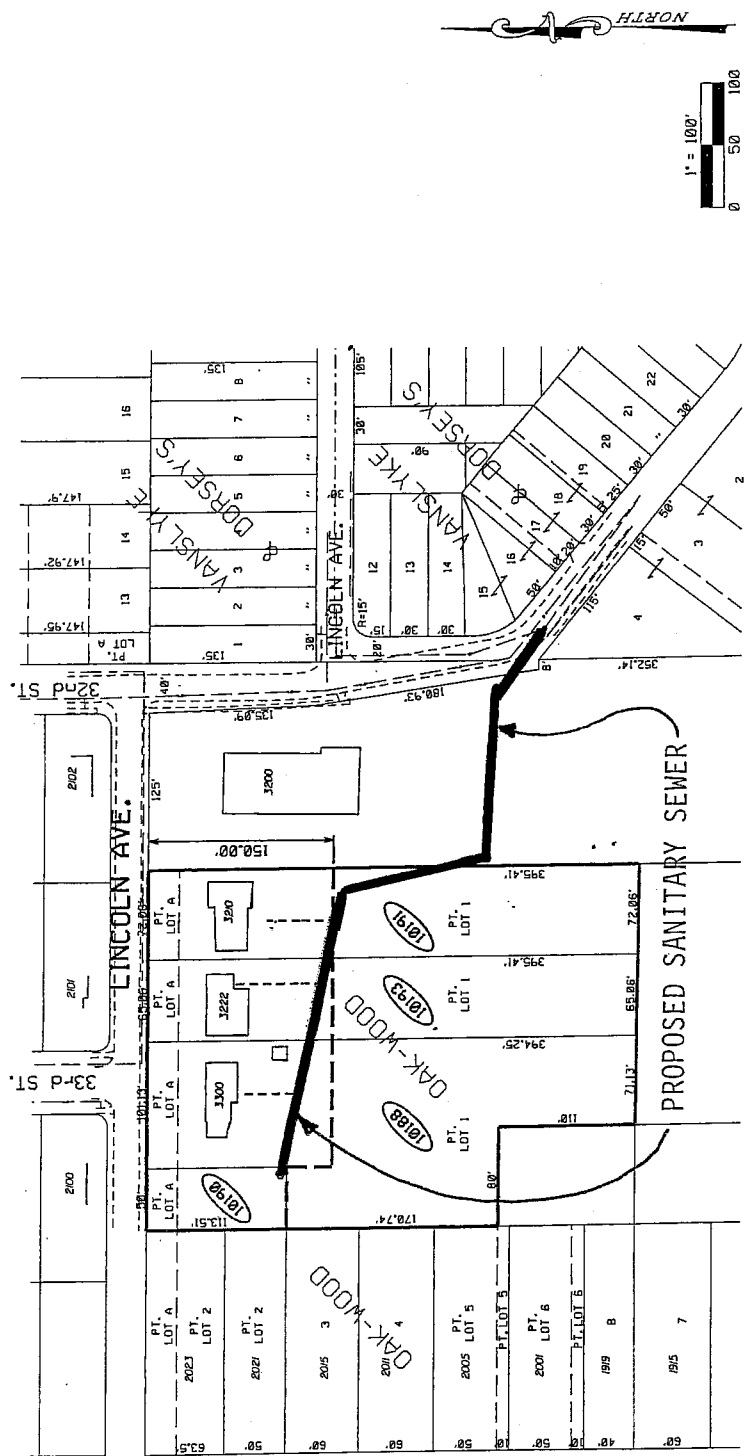
LINCOLN AVE SANITARY SEWER - VICTORIA AVE TO 33RD ST

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	OWNERS NAME PROPERTY ADDRESS	VALUATION		ASSESSMENT POINTS	TO BE ASSESSED	DEFICIT		Mailing Address
			W/IMPROVEMENT IN PLACE	10,000			OR	SUBSIDY	
100/10190-000-000 E 50 F W 230 F LOT A & W 50 F N 88.51 F LOT 1 OAK-WOOD	01-36918-00	T POLK COUNTY T TAX SALE (No Address)	10,000	NET TO BE ASSESSED:	5,675.50	4,870.63	2370.63		POLK COUNTY 5885 NE 14TH ST DES MOINES, IA 50313-1202
100/10188-000-000 W 101.13 F E 238.25 F LT A & - EX W 50 F N 88.51 F- & -EX W 80 F S 110 F- W 151.13 FN 369.25 F LT 1 OAK-WOOD	01-36919-00	T LEE, SHARON P 3300 LINCOLN AVE	125,000	NET TO BE ASSESSED:	15,169.50	13,018.23			SHARON P LEE 3300 LINCOLN AVE DES MOINES, IA 50310-5150
100/10193-000-000 W 65.06F E 137.12F LOT A & W 65.06F E 137.12F N 370.41F LOT 1 OAK-WOOD	01-36920-00	T MARKER, JOHN 3222 LINCOLN AVE	150,000	NET TO BE ASSESSED:	9,759.00	8,375.02			JOHN MARKER 3222 LINCOLN AVE DES MOINES, IA 50310-5149
100/10191-000-000 E 72.06 F N 395.41 F LOTS A & 1 OAK-WOOD	01-36921-00	T SWANSON, HAROLD D 3210 LINCOLN AVE	200,000	NET TO BE ASSESSED:	10,809.00	9,276.12			HAROLD D SWANSON 3210 LINCOLN AVE DES MOINES, IA 50310-5149

Total Points	41,413.00
Total Assessment Cost	\$ 35,540.00
Less Total Deficit	\$ 2,370.63
Net Assessable Cost	\$ 33,169.37

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DISTRICT 10



LEGEND

- ASSESSMENT BOUNDARY
- AREA CALCULATION LINE
- CORNER LOT REDUCTION
- LOT LINE
- OWNERSHIP LINE
- EXISTING PAVEMENT
- PROPOSED IMPROVEMENTS
- PARCEL
- C.L.R.

LINCOLN AVENUE SANITARY SEWER
 VICTORIA DRIVE TO 33RD STREET
 ACTIVITY I.D. 07-2008-005

**Special Assessments Schedule
Acceptance and Levy:**

Type 03 (Sewer)

Schedule No. 2005-03

Activity ID 06-2005-013

To Council
Acceptance 5/4/2009

Notice to Property Owners:

Published 5/6/2009
and 5/13/2009

Mailing 5/7/2009

Rate of Interest 4.93%

Number of
Payments 10

Roll Call #