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Date June 9, 2008

HEARING ON ADOPTION OF THE PROPOSED RESOLUTION
OF NECESSITY FOR SANITARY SEWER IMPROVEMENTS

WHEREAS, on May 5, 2008, under Roll Call No. 08-778, 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 sanitary sewer improvements:

Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, described as:

Construction of a new sanitary sewer to service four properties in the 3200 and 3300 block of Lincoln Avenue including construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items which will allow for the abandonment of deteriorated and obsolete septic systems that are located on the properties,

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.

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 sanitary sewer 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 sanitary sewer improvement:

Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, described as:

Construction of a new sanitary sewer to service four properties in the 3200 and 3300 block of Lincoln Avenue including construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items which will allow for the abandonment of deteriorated and obsolete septic systems that are located on the properties,

is hereby:

★ Roll Call Number

Agenda Item Number

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Date June 9, 2008

- _____ 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 _____, 2008, 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 08-339 attached)

FORM APPROVED: *Kathleen Vanderpool*
 Kathleen Vanderpool
 Deputy City Attorney

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Funding: 2008-2009 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054 being \$33,169.37 from Special Assessments against benefited property owners and \$134,330.63 in Sanitary Sewer Funds

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

CERTIFICATE

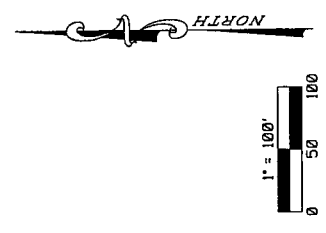
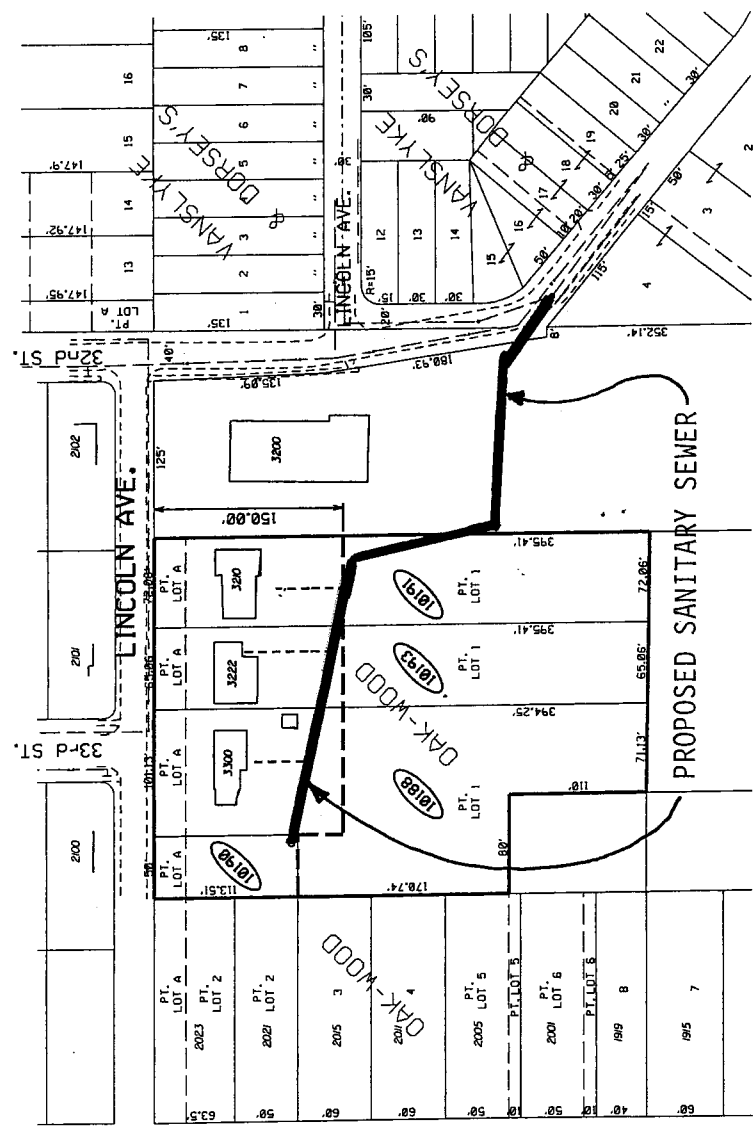
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

DISTRICT 10



LEGEND

- ASSESSMENT BOUNDARY
- AREA CALCULATION LINE
- CORNER LOT REDUCTION
- LOT LINE
- OWNERSHIP LINE
- EXISTING PAVEMENT
- PROPOSED IMPROVEMENTS
- PARCEL

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