

Date July 28, 2008

E. 14<sup>th</sup> Widening Jurisdictional Transfer to IDOT

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY PURCHASED FOR THE EAST 14<sup>TH</sup> STREET WIDENING PROJECT TO THE STATE OF IOWA FOR THE BENEFIT AND USE OF THE IOWA DEPARTMENT OF TRANSPORTATION (IDOT)**

**WHEREAS**, on September 12, 2005, by Roll Call No. 05-2167, the City Council approved and authorized the execution of an Iowa Department of Transportation (“IDOT”) pre-design agreement for E. 14<sup>th</sup> Street (U.S. 69) from E. University Avenue to E. Aurora Avenue Project, now known as the East 14<sup>th</sup> Street Widening – Arthur Avenue to East Tiffin Project (“the Project”); and

**WHEREAS**, on August 6, 2007, by Roll Call No. 07-1484, the City Council approved and authorized the execution of an IDOT pre-construction agreement for the Project; and

**WHEREAS**, in order to effectuate the IDOT agreements and proceed with the Project, it is necessary for the City of Des Moines to transfer public road jurisdiction and convey certain right-of-way acquired by the City for the Project, as described below, to the State of Iowa, by and for the benefit of the IDOT, by Quit Claim Deed in accordance with Section 306.42 of the Iowa Code.

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

1. The City of Des Moines, Iowa proposes to transfer public road jurisdiction and convey property located at 2914 East 14<sup>th</sup> Street to the State of Iowa, for the benefit and use of the Iowa Department of Transportation, as required for the East 14<sup>th</sup> Widening – Arthur Avenue to East Tiffin Avenue Project, said right-of-way being legally described as follows:

**LOT 1 & 2, BLOCK 1, GRAND VIEW, AN OFFICIAL PLAT. AS SURVEYED AND MONUMENTED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BY SURVEY 13,186 SQUARE FEET**

2. A public hearing shall be held on August 11, 2008 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 authorized and directed to publish notice of the proposal and hearing in the form hereto attached not less than four or more than twenty days from the date of hearing.

DESCRIPTION REVIEWED  
[Signature]  
7/28/08

★ **Roll Call Number**

**Agenda Item Number**

*22*

Date July 28, 2008

E. 14<sup>th</sup> Widening – Parcel 011 (Farley) Jurisdictional Transfer to IDOT

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

APPROVED AS TO FORM:

*Glenna K. Frank*

Glenna K. Frank  
Assistant City Attorney

*BSW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	

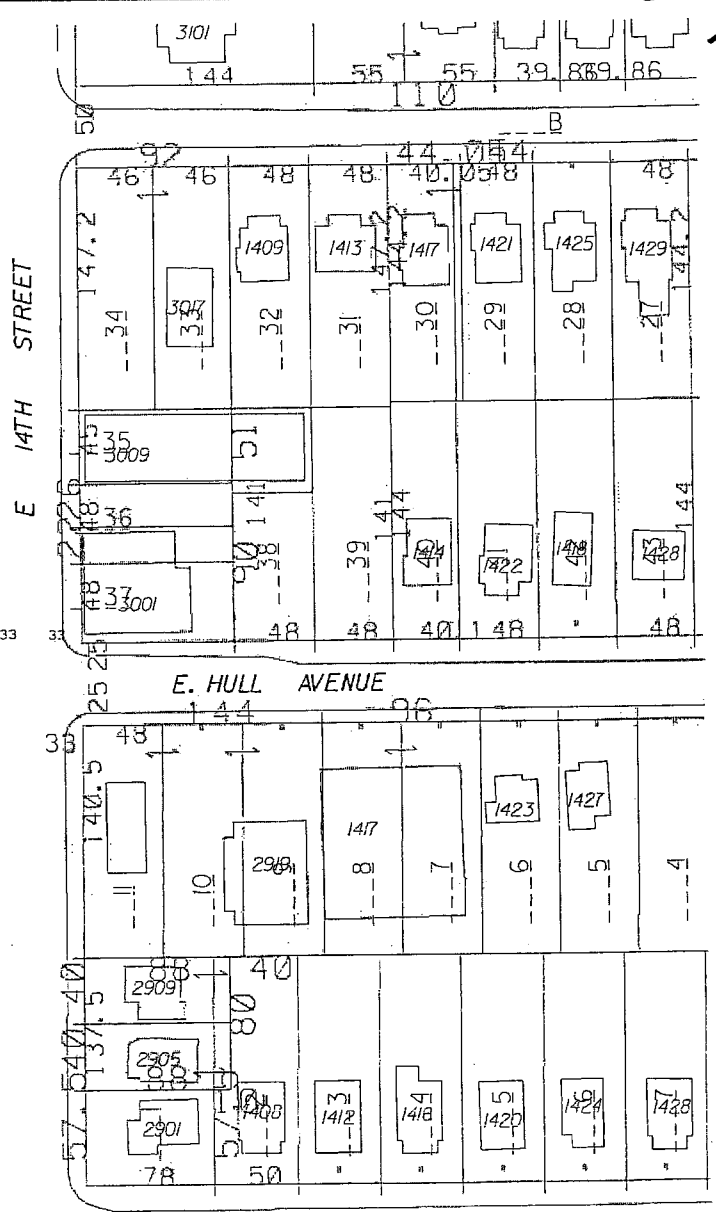
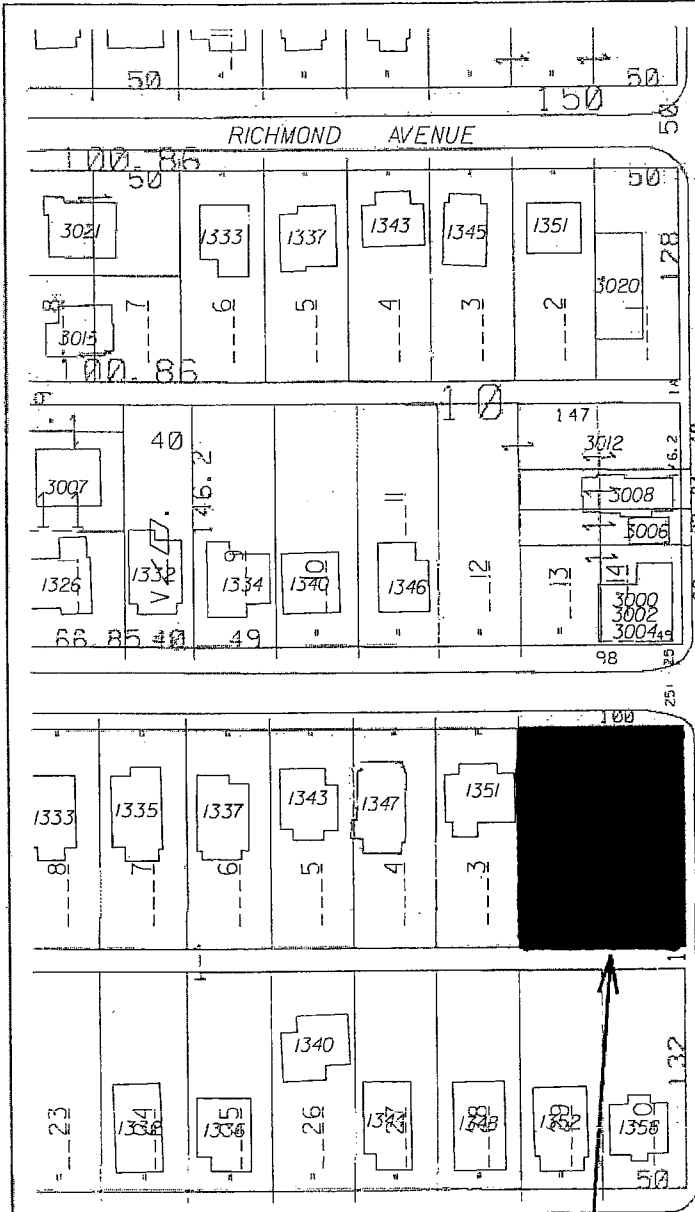
**CERTIFICATE**

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.

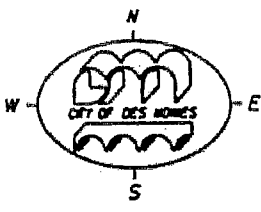
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

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



PROPERTY  
LOCATION



PROPERTY ACQUISITION  
EAST 14TH STREET WIDENING  
ACTIVITY I.D. 32-2007-056

22

REGISTER ORDER NO. \_\_\_\_\_ ROLL CALL LEGAL BULLETIN BOARD FOLLOW UP

NOTICE OF PROPOSAL TO CONVEY CITY-OWNED REAL ESTATE

NOTICE IS HEREBY GIVEN, that the City Council has adopted a resolution setting a hearing relating to a proposal to transfer public road jurisdiction and convey real estate in the vicinity of 2914 East 14<sup>th</sup> Street to the State of Iowa, for the benefit and use of the Iowa Department of Transportation, pursuant to Iowa Code Section 306.42 in order to effectuate the East 14<sup>th</sup> Street Widening Project – East Arthur Avenue to East Tiffin Avenue.

The real estate is legally described below:

**LOT 1 & 2, BLOCK 1, GRAND VIEW, AN OFFICIAL PLAT. AS SURVEYED AND MONUMENTED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BY SURVEY 13,186 SQUARE FEET.**

NOTICE IS FURTHER GIVEN that the City Council will consider the proposed conveyance after a public hearing to be held at 5:00 p.m., in the Council Chambers, 400 Robert D. Ray Drive, Des Moines, Iowa, on August 11, 2008.

Persons interested in the proposal will be given the opportunity to express their views at that hearing.

Published in the Des Moines Register on \_\_\_\_\_.

DESCRIPTION REVIEWED  
*[Signature]*  
7/03/08 10:10