

Date August 20, 2007

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION
(Darlene A. Fini)

WHEREAS, the City of Des Moines has received the accompanying Application for Voluntary Annexation from Darlene A. Fini, seeking the voluntary annexation by the City of Des Moines of land she owns between NE 38th Avenue (E. Douglas Avenue) and NE 30th Place and west of NE 56th Street, generally shown on Exhibit "A" and more specifically described in the accompanying Exhibit "B"; and,

WHEREAS, to avoid the illegal creation islands of unincorporated land surrounded by the City of Des Moines, it is further proposed that certain additional tracts of land generally shown on Exhibit "A" and more specifically described in the accompanying Exhibit "B" be included in the Territory to be annexed without the owners' consent; and,

WHEREAS, it is further proposed that the Territory include the adjoining 1/2 of all intervening and adjoining secondary roads, as generally shown on Exhibit "A" and more specifically described in the accompanying Exhibit "B"; 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 in the accompanying Exhibit "B", shall be considered by the City Council at a public hearing to be held on October 22, 2007, 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.
2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the form attached hereto, by publication in the Des Moines Register on September 18, 2007.
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.

(continued)

Date August 20, 2007

MOVED by _____ to adopt.

FORM APPROVED:

Roger K Brown
 Roger K. Brown
 Assistant City Attorney
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Attachments:

- Exhibit "1" – Application for Voluntary Annexation
- Exhibit "A-1" – Map of the Territory
- Exhibit "B" – Legal Description of the Territory
- Notice of Hearing

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.

 City Clerk

MOTION CARRIED

APPROVED

.....
 Mayor

Exhibit "1"

Application for Voluntary Annexation
(East Parcel - Fini Farm)

To: City Council
City of Des Moines, Iowa
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Re: The voluntary annexation of the Territory in Polk County, Iowa, generally located between NE 38th Avenue (E. Douglas Avenue) and NE 30th Place and west of NE 56th Street, as shown on the map attached hereto as Exhibit "A", and more specifically described as follows:

District/Parcel No.: 190/01409-119-000 Acreage: 26.6770
Legal: Outlot X, Fini Acres Plat 2, an Official Plat, Polk County, Iowa.

District/Parcel No.: 190/01409-207-000 (partial) Acreage: 33.9510
Legal: Outlot X, Fini Acres Replat, an Official Plat, Polk County, Iowa, except:
Beginning at the Southeast corner of Lot "A" of said Fini Acres Replat; thence North 00° (degrees) 01' (minutes) 14" (seconds) East along the East line of Lot "A" of said Fini Acres Replat, 40.00 feet to a point on the northeast corner of said Lot "A"; thence southeasterly 74.89 feet along a 190.00 foot radius curve to the right, said curve having a chord which bears South 74°23'11" East, 74.40 feet to a point; thence southeasterly 75.31 feet along a 140.00 foot radius curve to the left, said curve having a chord which bears South 74°23'11" East, 74.40 feet to a point on the South line of said Outlot "X"; thence North 89°58'46" West along the South line of said Outlot "X", 143.33 feet to the Point of Beginning, containing 0.06 acres, more or less.

District/Parcel No.: 190/01409-112-000 Acreage: 0.6930
Legal: Lot 2, Fini Acres Plat 2, an Official Plat, Polk County, Iowa.

District/Parcel No.: 190/01409-113-000 Acreage: 0.6930
Legal: Lot 3, Fini Acres Plat 2, an Official Plat, Polk County, Iowa.

District/Parcel No.: 190/01409-115-000 Acreage: 0.6930
Legal: Lot 5, Fini Acres Plat 2, an Official Plat, Polk County, Iowa.

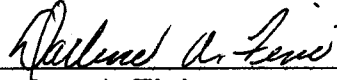
District/Parcel No.: 190/01409-118-000 Acreage: 0.7260
Legal: Lot 8, Fini Acres Plat 2, an Official Plat, Polk County, Iowa.

Application for Voluntary Annexation - Fini
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Darlene A. Fini, hereby makes application to the City of Des Moines, Iowa, to annex the Territory described above. In support of this application Darlene A. Fini states and warrants as follows:

1. I am the sole owner of the Territory described above, exclusive of the secondary roads.
2. The Territory is located in Polk County, Iowa and is not within the boundaries of any city.
3. No solid waste collection services are presently provided to the Territory.
4. Water service is presently provided to the Territory by (*check appropriate box*):
 - none - no water service provided.
 - service from a private well.
 - Des Moines Water Works.
 - Other. (List name and address) _____
5. ~~This application is subject to the City of Des Moines agreeing that the City shall not forward the application to the City Development Board or otherwise cause the annexation to become final and effective, until after the 3rd business day after the application has been approved by the Des Moines City Council, and that I may withdraw this application at any time within the three business days after the application has been approved by the City Council.~~


Date: August 14, 2007



Darlene A. Fini

State of Iowa) ss:
County of Polk)

On this 14 day of August, 2007, before me, a notary public, personally appeared **Darlene A. Fini**, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.


Notary Public in the State of Iowa
My commission expires: 4-24-08

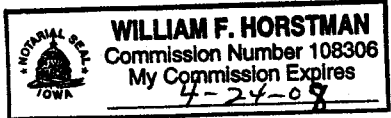


Exhibit "A"

Application for Voluntary Annexation
by Darlene A. Fini

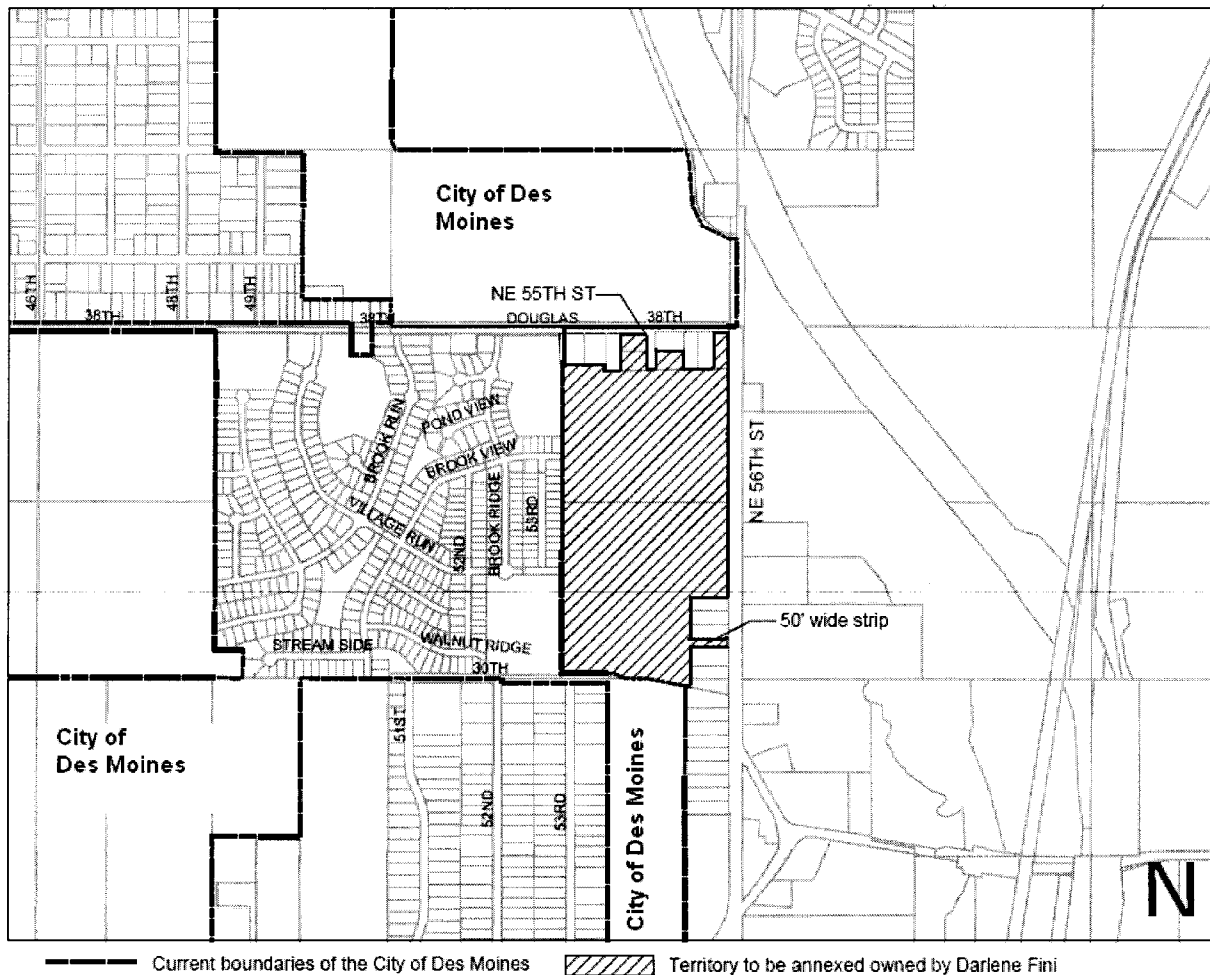
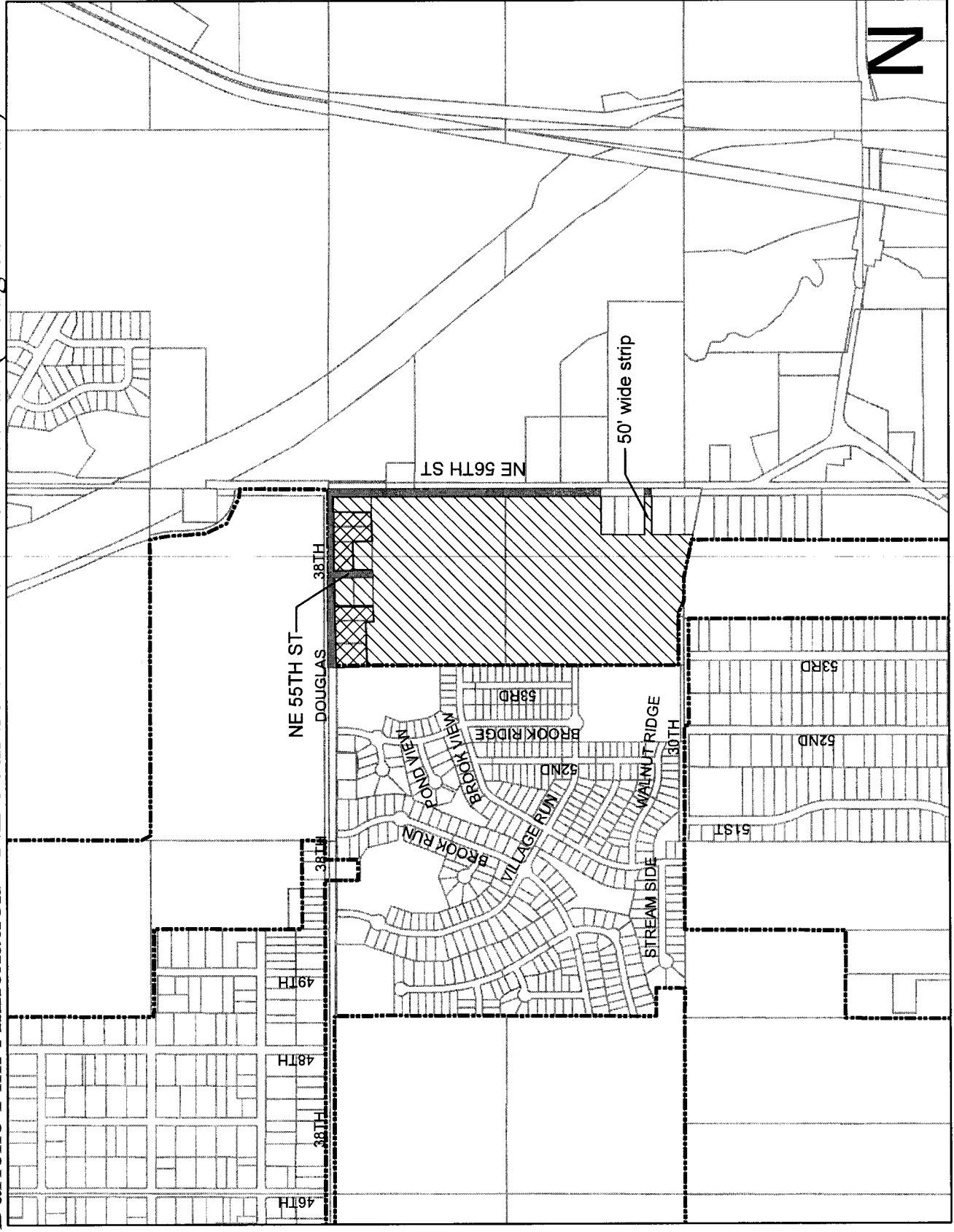






Exhibit "A-1"
Darlene Fini Annexation - NE 56th Street & NE 38th Avenue (Douglas Avenue)



-  Current boundaries of the City of Des Moines
-  Secondary Roads to be annexed
-  Territory to be annexed owned by Darlene Fini
-  Territory to be annexed without the owners consent