

Date August 23, 2010

CONTINUANCE OF HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY TO THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY FOR THE WRA EQUALIZATION BASIN UTILIZATION PROJECT

WHEREAS, pursuant to Article VI, Section 1 of the Amended and Restated Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority (“WRA Agreement”), approved and authorized for execution by this City Council on April 19, 2004, pursuant to Roll Call No. 04-844, existing wastewater conveyance facilities described in Exhibit 1 to said Agreement, acquired by and held in the name of the City of Des Moines and all other participating communities, shall be transferred to the WRA by the participating communities as necessary for the construction, maintenance or improvement of such facilities; and

WHEREAS, the City of Des Moines has identified multiple areas for I-JOBS II Targeted Disaster Relief Grant Plan including the Southern Tier equalization basin currently owned by the City of Des Moines and located between 3100-3800 block of SE Watrous Avenue, as included in the application submitted by the City for said grant funding; and

WHEREAS, the proposed WRA Equalization Basin Utilization Project requires conveyance of said basin to the WRA in order to conform with both the aforementioned I-JOBS II Targeted Disaster Relief Grant Plan and the WRA Agreement; and

WHEREAS, on August 9, 2010, by Roll Call No. 10-1270, this City Council approved a proposal to convey the existing equalization basin to be improved as part of the proposed WRA Equalization Basin Utilization Project, which real property is identified in Exhibit A attached hereto and more fully described in the information on file as Exhibit B in the office of the City Clerk, to the WRA in accordance with Iowa Code Section 364.7(3) and in accordance with the WRA Agreement for the public purpose of reconstruction, operation, and maintenance of said equalization basin; and

WHEREAS, on August 9, 2010, by Roll Call No. 10-1270, it was further duly resolved by this City Council that the proposed conveyance to the WRA of the equalization basin located between 3100-3800 block of SE Watrous Avenue be set down for hearing on August 23, 2010 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, a continuance of public hearing until the Council meeting on September 13, 2010, has been requested and re-publication of notice is required in order to correct the description of one parcel to be conveyed to the WRA.

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

1. That the public hearing for the conveyance of City-owned property to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Equalization Basin Utilization Project be

★ Roll Call Number

Agenda Item Number

39

Date August 23, 2010

continued to September 13, 2010, in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

2. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached all in accordance with Section 362.3 of the Iowa Code.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, TOTAL, MOTION CARRIED, APPROVED.

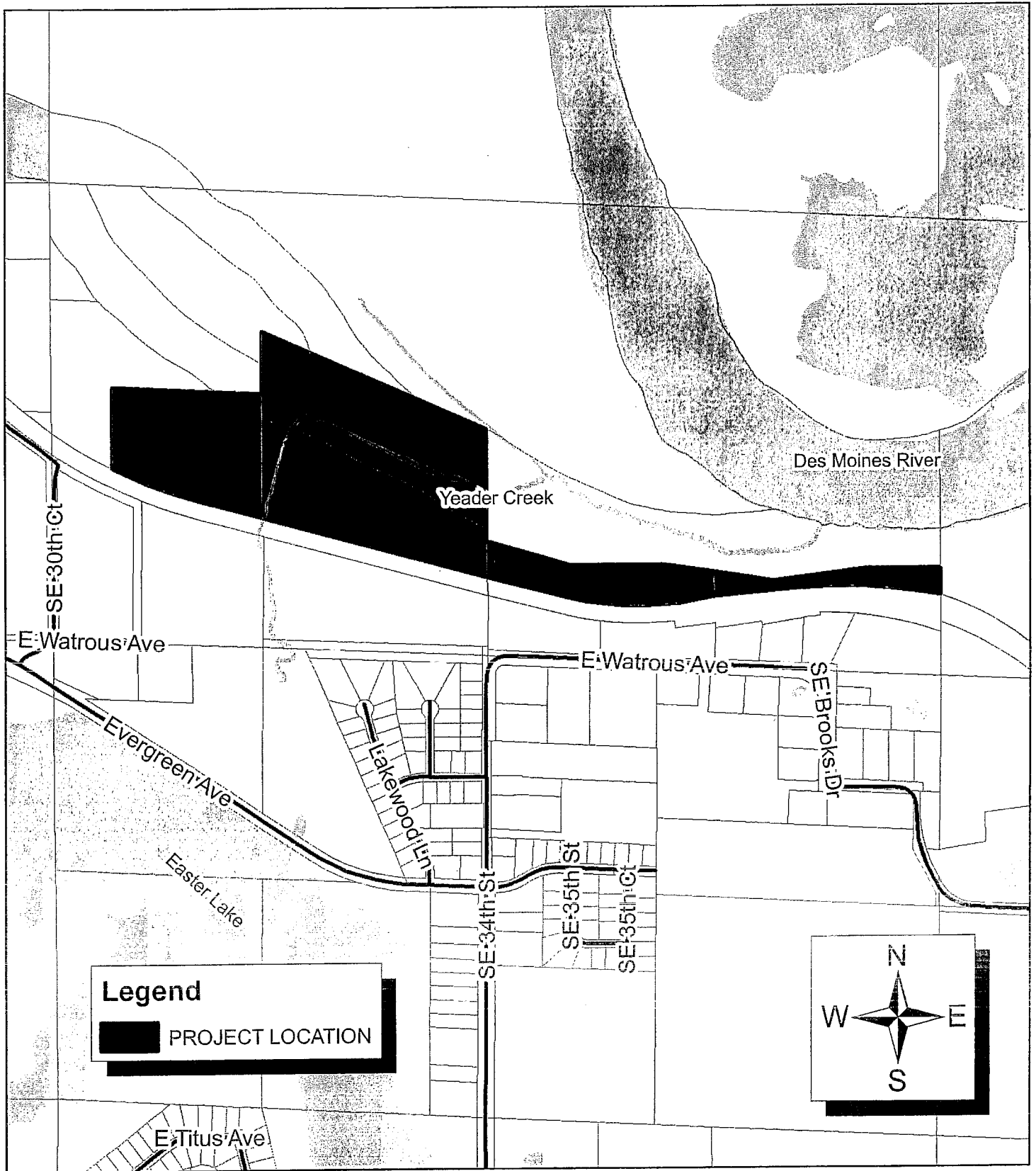
CERTIFICATE

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



**DISPOSITION OF CITY-OWNED PROPERTY
TO THE DES MOINES METROPOLITAN
WASTEWATER RECLAMATION AUTHORITY**

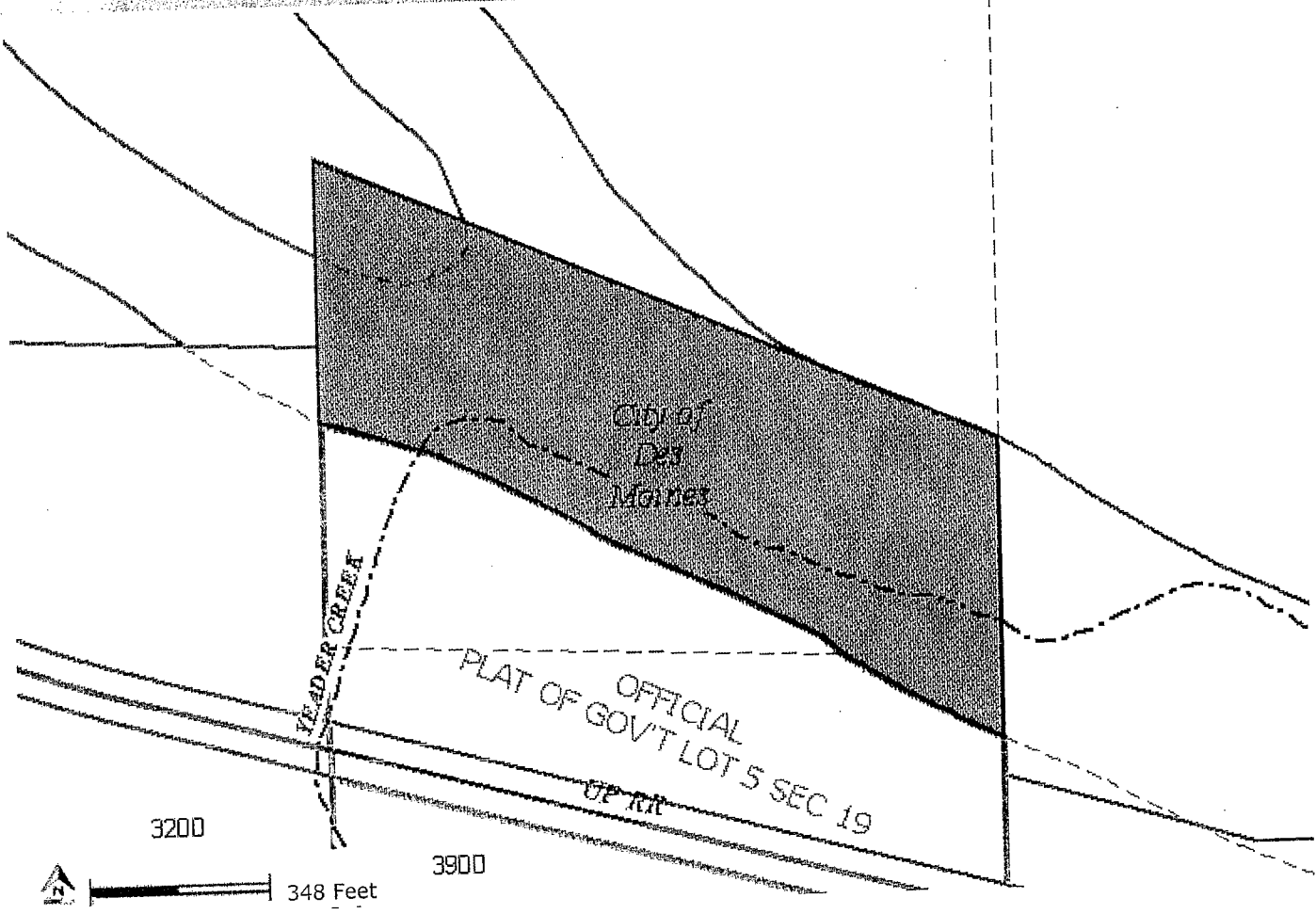
EXHIBIT A

The property to be conveyed is located on City-owned property between the 3100-3800 block of the north side of SE Watrous Avenue as follows:

<u>Location and Type of City-Owned Property</u>		<u>Polk County Tax Parcel No.</u>
Southern Tier Basin Phase 10, Segment 13 – Area C	(Sanitary)	010/06016-002-000
	(Sanitary)	010/06018-003-000
	(Sanitary)	010/06020-002-000
	(Uneconomical Remnant)	010/06021-003-000
	(Uneconomical Remnant)	010/06029-002-000

EXHIBIT B

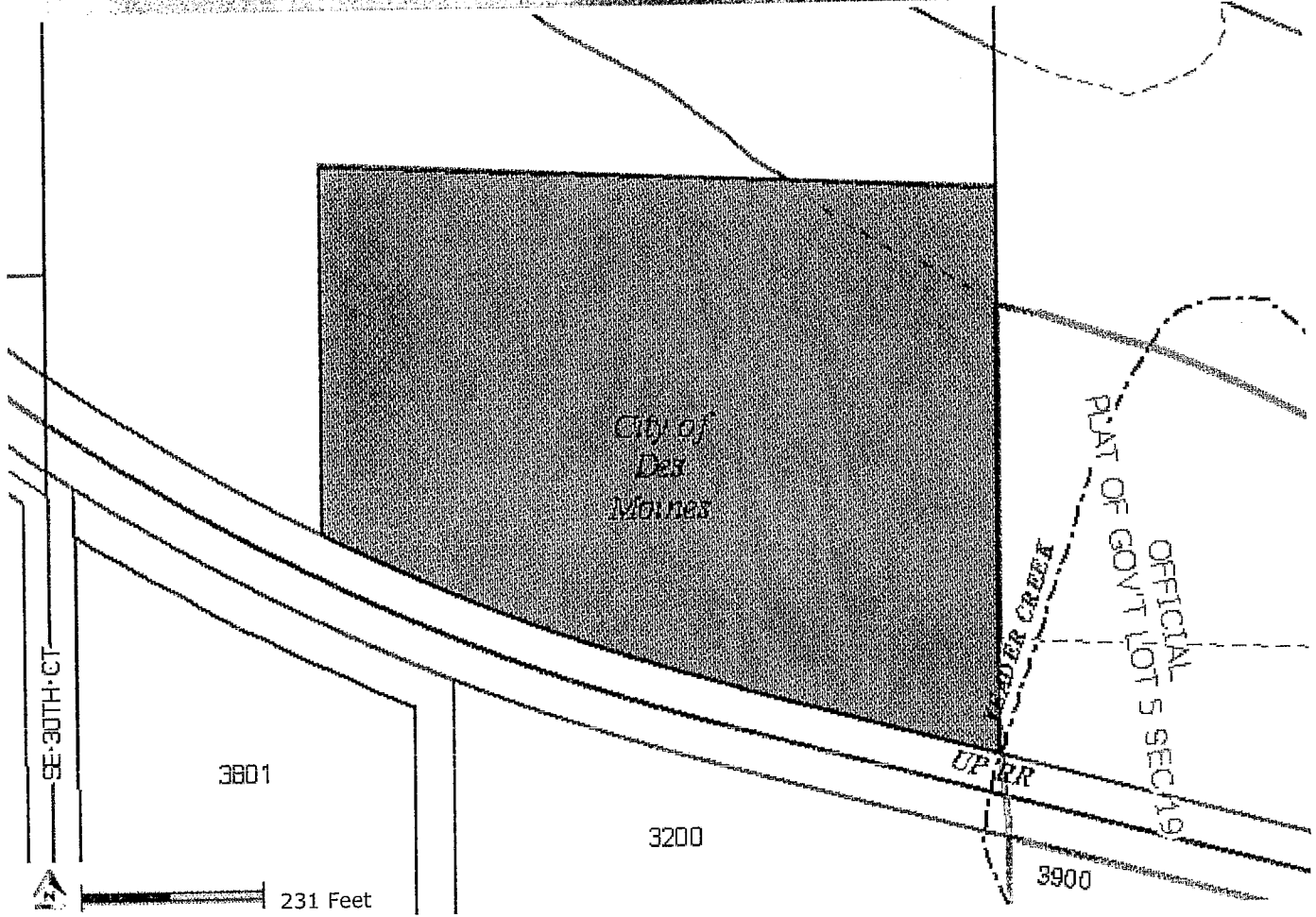
Polk County Auditor



GP 782319-100-009
 DP 010/06016-002-000
 Taxing Status **NON-TAXABLE**
 Class **GOVERNMENT**
 100% value 0
 Taxable value 0
 School District **DES MOINES IND SCH**
 Voting Precinct **DSM 96**
 Last PAS number **199501361**
 Acres **15.400**
 Property *n/a*
 Address
 Mailing Address **400 ROBERT D RAY DR**
DES MOINES, IA
50309-1813
 Legal **-EX N OF LN BEG SE COR NE 1/4 NW 1/4 THN NW TO PT 510F N OF SW COR NE 1/4 NW 1/4-GL 3 & ABANDONED RIVER CHANNEL LYG N OF LTS 15 & 16 OP GOV'T LT 5 SEC 19-78-23**
 Titleholder **CITY OF DES MOINES**
 Recorder Book/Page **4373/834**

Values shown are 2009 values for taxes payable in 2010-2011

Polk County Auditor



GP 782319-100-003

DP 010/06018-003-000

Taxing Status **NON-TAXABLE**

Class **GOVERNMENT**

100% value **0**

Taxable value **0**

School District **DES MOINES IND SCH**

Voting Precinct **DSM 96**

Acres **13.770**

Property Address *n/a*

Mailing Address **400 ROBERT D RAY DR
DES MOINES, IA
50309-1813**

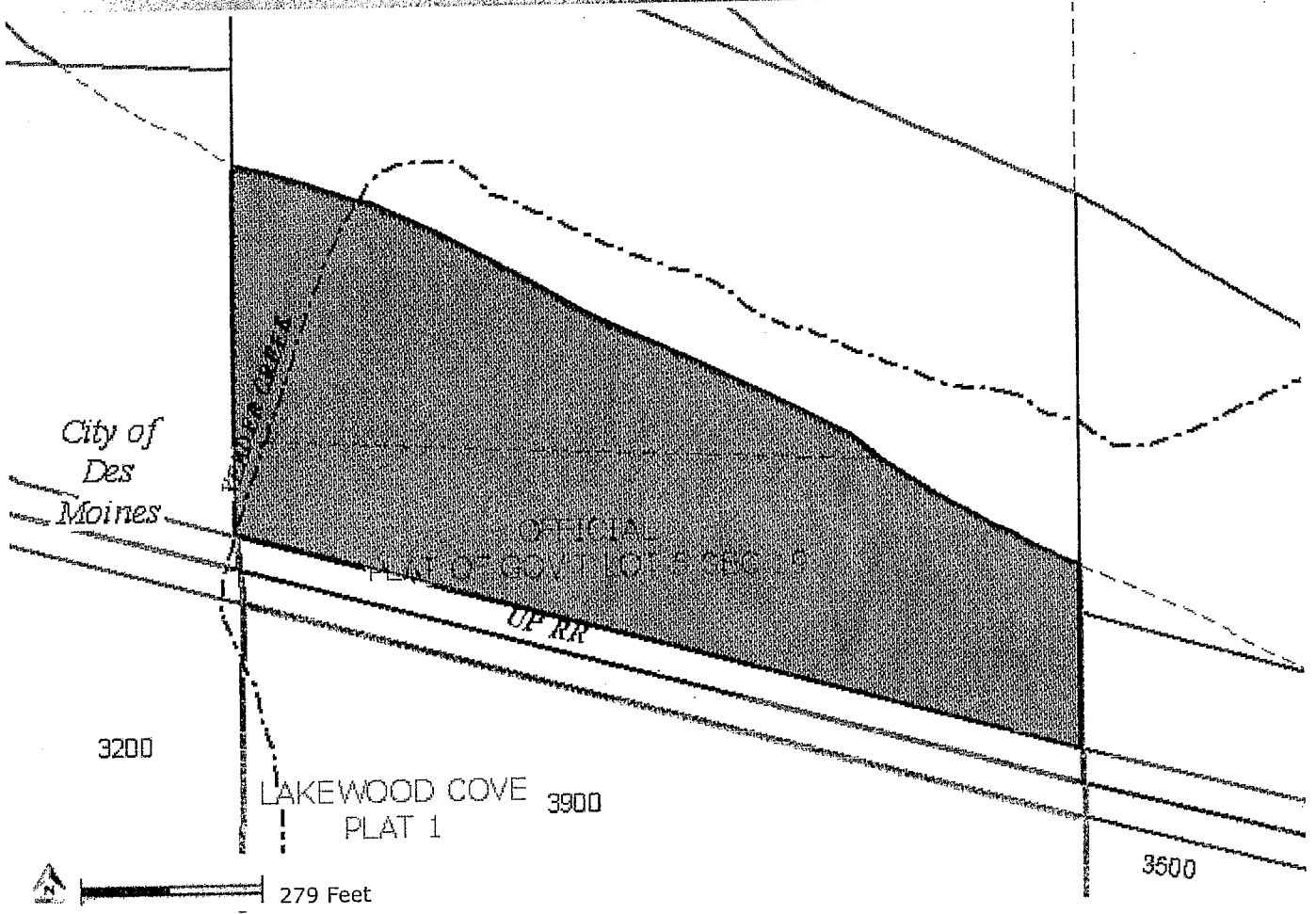
Legal **PRT E 870F LYG S LN 150F N OF S LN NW 1/4 NW 1/4 & N OF RR GOVT LOT 4 SEC 19-78-23**

Titleholder **CITY OF DES MOINES**

Recorder **4413/322**
Book/Page

Values shown are 2009 values for taxes payable in 2010-2011

Polk County Auditor



GP **782319-100-010**
 DP **010/06020-002-000**

Taxing Status **NON-TAXABLE**
 Class **GOVERNMENT**

100% value **0**

Taxable value **0**

School District **DES MOINES IND SCH**

Voting Precinct **DSM 96**

Last PAS number **199501361**

Acres **13.700**

Property Address *n/a*

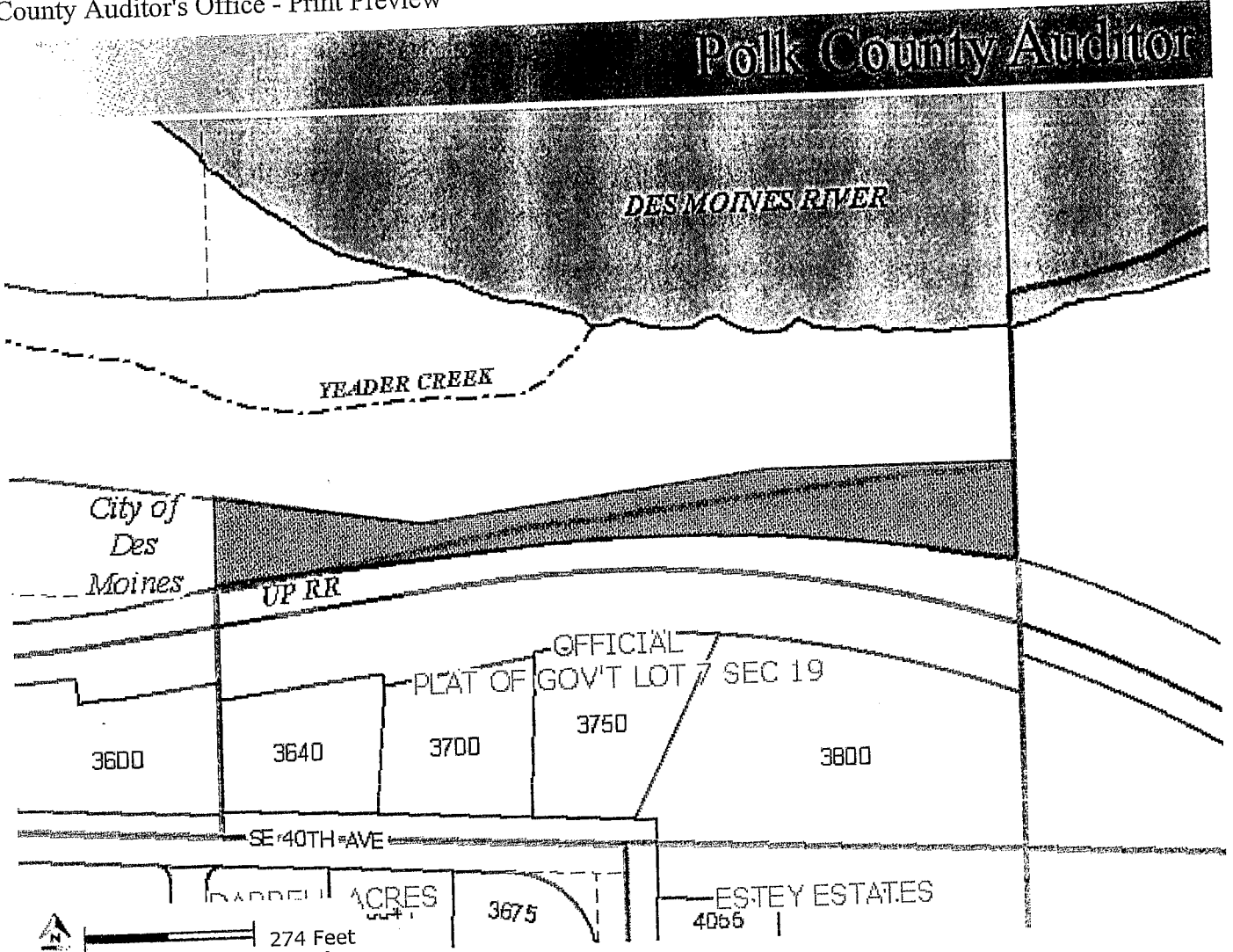
Mailing Address **400 ROBERT D RAY DR**
DES MOINES, IA
50309-1813

Legal **LT 15 & LT 16 LYG N OF RR ROW OP GOV'T LT 5 SEC 19-78-23**

Titleholder **CITY OF DES MOINES**

Recorder Book/Page **4373/834**

Values shown are 2009 values for taxes payable in 2010-2011



GP 782319-200-005

DP 010/06021-003-000

Taxing Status **NON-TAXABLE**

Class **GOVERNMENT**

100% value **0**

Taxable value **0**

School District **DES MOINES IND SCH**

Voting Precinct **DSM 96**

Acres **2.930**

Property **n/a**

Address

Mailing Address **400 ROBERT D RAY DR
DES MOINES, IA
50309-1813**

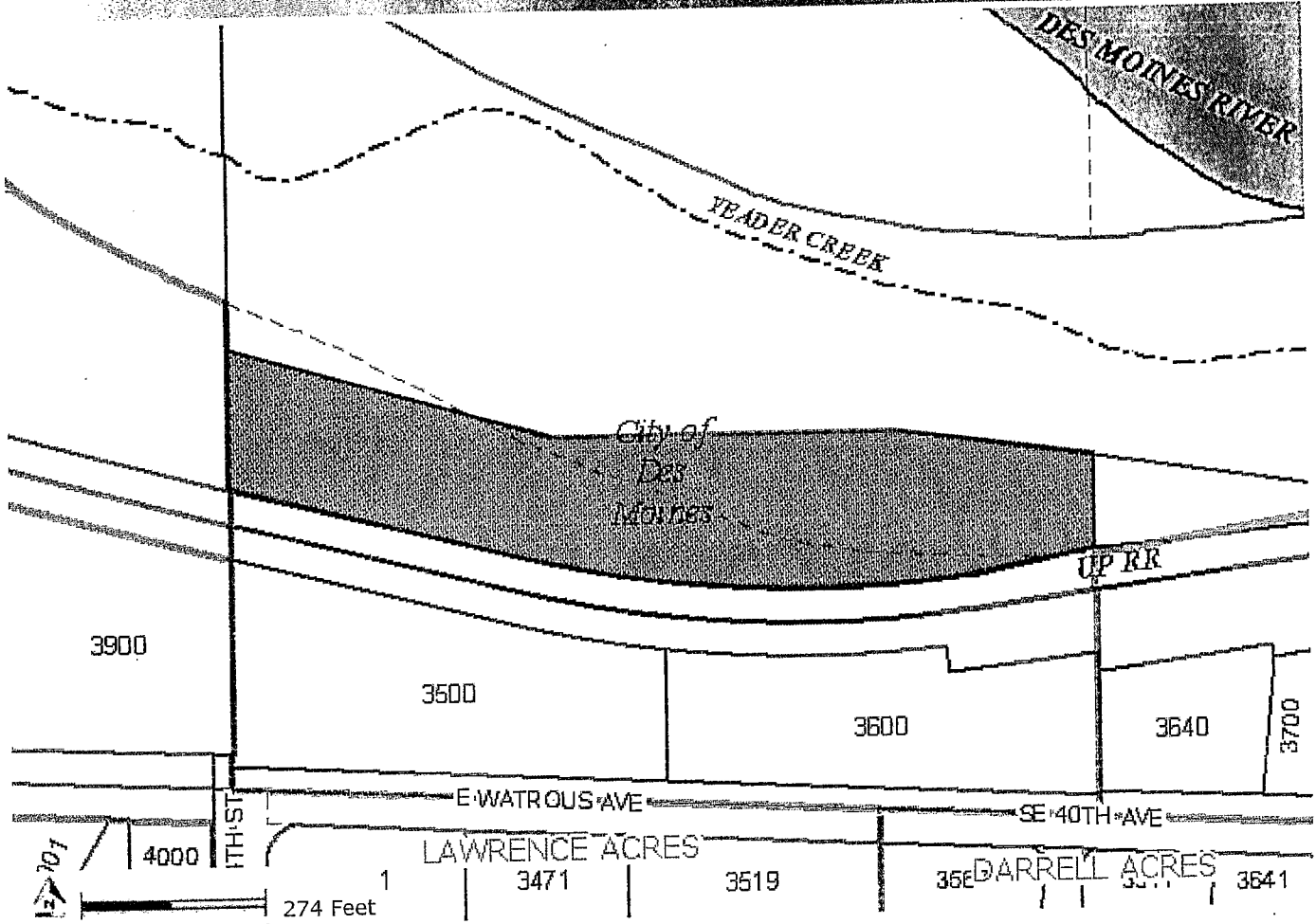
Legal **BEG 463.11F N OF SE COR THN N 157F SWLY 980.53F NW 343.83F S 142F ELY ALNG N RR
ROW 1320.94F TO POB LT 10 OP GOV LT 7 SEC 19-78-23**

Titleholder **CITY OF DES MOINES**

Recorder **5026/861**
Book/Page

Values shown are 2009 values for taxes payable in 2010-2011

Polk County Auditor



GP 782319-200-004

DP 010/06029-002-000

Taxing Status **NON-TAXABLE**

Class **GOVERNMENT**

100% value **0**

Taxable value **0**

School District **DES MOINES IND SCH**

Voting Precinct **DSM 96**

Acres **6.160**

Property *n/a*

Address

Mailing **400 ROBERT D RAY DR**

Address **DES MOINES, IA**

50309-1813

Legal **BEG 1971.79F S OF N 1/4 COR THN SELY 513.24F E 517.78F SELY 307.98F S 142F SWLY 196.64F NWLY 688.45F NWLY 448F & N210F TO POB GOV LOT 6 SEC 19-78-23**

Titleholder **CITY OF DES MOINES**

Recorder **5068/67**

Book/Page

Values shown are 2009 values for taxes payable in 2010-2011

REGISTER
ORDER NO. _____ ROLL CALL LEGAL BULLETIN BOARD
FOLLOW-UP

NOTICE OF PROPOSAL TO CONVEY PROPERTY BY QUIT CLAIM DEED

NOTICE IS HEREBY GIVEN that the City Council of the City of Des Moines, Iowa, has adopted a resolution of intent to convey real property by Quit Claim Deed to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) in accordance with Iowa Code Section 364.7(3) and in accordance with the Amended and Restated Agreement for the Des Moines Metropolitan Wastewater Reclamation Authority entered into by the City of Des Moines and other Des Moines metropolitan Participating Communities, effective July 1, 2004, for the public purpose of reconstruction, operation, and maintenance of the existing equalization basin to be improved as part of the proposed WRA Equalization Basin Utilization Project.

The property to be conveyed is located on City-owned property between the 3100-3800 block of the north side of SE Watrous Avenue as follows:

<u>Location and Type of City-Owned Property</u>		<u>Polk County Tax Parcel No.</u>
Southern Tier Basin Phase 10, Segment 13 – Area C	(Sanitary)	010/06016-002-000
	(Sanitary)	010/06018-003-000
	(Sanitary)	010/06020-002-000
	(Uneconomical Remnant)	010/06021-003-000
	(Uneconomical Remnant)	010/06029-002-000

NOTICE IS FURTHER GIVEN, that the City Council will consider approval of the proposed conveyance of a Quit Claim Deed granting the above-listed properties to the WRA after a public hearing to be held at 5:00 p.m., in the Council Chamber, 400 Robert D. Ray Drive, Des Moines, Iowa, on September 13, 2010. Persons interested in the proposal will be given the opportunity to express their views at that hearing. Descriptions of and more particular information concerning the property to be conveyed are available in the office of the City Clerk.

PUBLISHED IN THE DES MOINES REGISTER ON _____.