

63

November 19, 2007
Date

ACCEPTING TRANSFER OF OWNERSHIP AND CONTROL OF ELM GROVE CEMETERY FROM
BLOOMFIELD BOARD OF TOWNSHIP TRUSTEES AND DEDICATION OF SAME AS
CEMETERY

WHEREAS, the City of Des Moines owns numerous municipal cemeteries which are operated by the Park and Recreation Department; and

WHEREAS, effective on July 1, 1989, 7,169 acres of Bloomfield Township, including Elm Grove Cemetery, was annexed into the City of Des Moines: and

WHEREAS, on November 1, 2007, the Bloomfield Board of Township Trustees ("the Board") passed a resolution to transfer ownership and control of the Elm Grove Cemetery, located at 6505 Indianola Avenue, Des Moines, Iowa, and all remaining funds in the Elm Grove Cemetery operating account, after payment of all outstanding costs and expenses, to the City of Des Moines, as well as all books and records regarding the cemetery and remaining assets and authorized the execution of a Special Warranty Deed for the following property:

The North 24 1/2 Rods of the West 26 Rods of Lot 1 and all of Lot 2; and a part of Lot 1 described as follows:

Commencing at the NW corner of Section 36, Township 78 North, Range 24 West of the 5th P.M., thence on an assumed bearing of North 90° East, along the North line of Section 36, 429.0 feet to a point on the North section line of said Section 36, thence South 0° 13' East, 85.20 feet to the South easement line of Highway 5 and the point of beginning; thence continuing South 0° 13' East, 640.80 feet, thence North 90° East, 340.71 feet, thence North 0° 13' West, 638.42 feet to the South easement line of Highway 5, thence North 89° 36' West, 340.71 feet to the point of beginning;

all of the above being in the Official Plat of the NW 1/4 of the NW 1/4 of Section 36 Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

; and

WHEREAS, the Park and Recreation Board at its October 23, 2007 meeting approved the acceptance of the Elm Grove Cemetery and responsibility for operation of such cemetery.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the City does hereby accept the ownership and control of the above described Elm Grove Cemetery property. That the City Clerk is hereby authorized and directed to endorse upon the Special Warranty Deed described above the approval and acceptance of this Council and is further authorized and directed to deliver such Deed to the Real Estate Division Manager to record such Deed with the Polk County Recorder's Office.

★ Roll Call Number

Agenda Item Number

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Date November 22, 2007

BE IT FURTHER RESOLVED that the above described property be and is hereby dedicated for cemetery use.

(Council Communication No. 07-701)

Moved by _____ to approve.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

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