

Date December 8, 2008

**APPROVING AND AUTHORIZING EXECUTION OF A 28E AGREEMENT
BETWEEN THE CITY OF DES MOINES AND THE CITY OF NORWALK
FOR JOINT MAINTENANCE OF JOINT BOUNDARY STREETS**

WHEREAS, the City of Des Moines and the City of Norwalk share certain boundary streets, specifically, County Line Road – Fleur Drive to Highway 28; and

WHEREAS, the Cities desire to provide for the joint exercise of their respective powers by specifically dividing responsibility between the Cities hereto for the joint maintenance and servicing of corporate line roadways and rights-of-way in the respective Cities.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the BOUNDARY STREETS JOINT MAINTENANCE AGREEMENT, a copy of which Agreement is now on file in the Office of the City Clerk, and is by this reference incorporated herein, be and is hereby approved as to form and content.
2. That the Mayor and City Clerk be and are hereby authorized and directed to execute and attest, respectively, this Agreement for and on behalf of the City of Des Moines, Iowa, and the City Clerk is hereby directed to record the Agreement with the Polk County Recorder's Office and file it with the Secretary of State as required by Iowa Code Chapter 28E.

(Council Communication No. 08- 740)

Moved by _____ to adopt.

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