

Date July 29, 2013

RESOLUTION ACCEPTING EASEMENT REQUIRED AS A CONDITION OF CITY APPROVAL OF A PLAT OF SURVEY OF PROPERTY IN THE VICINITY OF 6550 BLOOMFIELD ROAD

WHEREAS, Bloomfield Development Company, LLC, represented by Rick R. Messerschmidt, Managing Member, have presented a Plat of Survey of land in the vicinity of 6550 Bloomfield Road for approval by the City in accordance with the City's Subdivision Regulations; and,

WHEREAS, incident to the City's administrative approval of the Plat of Survey, the Bloomfield Development Company is required to dedicate a Permanent Easement for Sanitary Sewer Right-of-way for a segment of sanitary sewer that was constructed in conformance with City standards to serve the parcels within the Plat of Survey; and,

WHEREAS, the City Engineer recommends that the dedication of the Permanent Easement for Sanitary Sewer Right-of-way be approved and accepted by the City; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

- 1. The Permanent Easement for Sanitary Sewer Right-of-way from Bloomfield Development Company for the use of the easement area described below is hereby approved:

ALL THAT PART OF LOT 8 IN SHERRY FLORER HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 89° (DEGREES) 24' (MINUTES) 56" (SECONDS) EAST ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°24'56" EAST, ALONG SAID LINE, A DISTANCE OF 186.96 FEET; THENCE NORTH 45°25'21" EAST, A DISTANCE OF 209.22 FEET; THENCE SOUTH 89°57'14" EAST, A DISTANCE OF 59.36 FEET; THENCE SOUTH 00°02'46" WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 89°57'14" WEST, A DISTANCE OF 47.05 FEET; THENCE SOUTH 45°25'21" WEST, A DISTANCE OF 209.38 FEET; THENCE NORTH 89°24'56" WEST, A DISTANCE OF 199.12 FEET; THENCE NORTH 00°00'22" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13,666 SQUARE FEET.

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- The City Clerk is hereby authorized and directed to endorse upon the said Easement the approval and acceptance of this Council and shall forward such document to the Legal Department for release to and recording by Bloomfield Development Company.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K Brown*

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

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