

Date May 5, 2014

RESOLUTION SCHEDULING PUBLIC HEARING TO CONSIDER AN
ANNEXATION MORATORIUM AGREEMENT
WITH THE CITY OF NORWALK

WHEREAS, on June 21, 2004, by Roll Call No.04-1360, the Des Moines City Council approved an Annexation Moratorium Agreement with the City of Norwalk, wherein the two cities established a line beyond which each city agreed not to annex for the ten year term of the agreement; and,

WHEREAS, the City of Des Moines desires to reaffirm and extend the Annexation Moratorium Agreement with the City of Norwalk for a new ten year term pursuant to Iowa Code §368.4; and,

WHEREAS, the cities of Des Moines and Norwalk have both exercised their authority under Iowa Code §354.9 to review subdivision plats and plats of survey for divisions or subdivisions in the unincorporated area within two miles of each city's respective boundary; and,

WHEREAS, the City of Des Moines desires to establish a line between the areas over which the cities of Des Moines and Norwalk exercise their extraterritorial jurisdiction to review subdivision plats and plats of survey, so that each city will review only those subdivision plats and plats of survey of land located within their planned future growth areas; and,

WHEREAS, the proposed *Annexation Moratorium Agreement and 28E Agreement* now on file in the office of the City Clerk renews and extends the term of the existing Annexation Moratorium Agreement with Norwalk, and further provides that each city waives its extraterritorial jurisdiction to review subdivision plats and plats of survey of land located within the other city's planned growth area; NOW THEREFORE,

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

1. The City Council shall consider approval of the proposed *Annexation Moratorium Agreement* at a public hearing to be held in the Council Chambers at 5:00 p.m. on June 23, 2014, 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 cause notice of said proposal, and of the planned public hearings on the proposal by the city councils of Des Moines and Norwalk, to be given in the accompanying form by publication on May 14, 2014, in the

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Des Moines Register and in the Record Herald & Indianola Tribune. It is expected that the City of Norwalk shall cause such notice to be published in the North Warren Town & Country News on May 15, 2014.

(Council Communication No. 14- **214**)

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				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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