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**Date** June 8, 2015

**RESOLUTION APPROVING RELEASE OF TEMPORARY EASEMENT FOR  
VEHICULAR TURNAROUND AT 4850 AND 4851 E. OVID AVENUE**

WHEREAS, on November 7, 2005, by Roll Call 05-2651, the City Council approved the subdivision plat titled Brook Run Village Plat 15, located in the vicinity of Park Side Drive and E. Ovid Avenue, to be developed by Gratius Construction, Inc., represented by Tom Gratius, President; and,

WHEREAS, the City required the dedication of a Temporary Easement for Vehicular Turnaround upon the residential lots at 4850 and 4851 E. Ovid Avenue for the purposes of providing adequate public vehicle turnaround on a dead-end street segment of E. Ovid Avenue; and,

WHEREAS, Savannah Homes, LLC, represented by Ted Grob, President, and Gratius Construction, Inc. have requested that the Temporary Easement for Vehicular Turnaround at 4850 and 4851 E. Ovid Avenue be released because the turnaround has presented a substantial obstacle to developing the lots; and,

WHEREAS, the Community Development Director, Fire Chief and Public Works Director recommend approval of the request due to the minimal impact the removal of the turnaround will have on public operations.

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

1. The City Council hereby finds that there is no public need for the Temporary Easement for Vehicular Turnaround proposed to be abandoned, and the public would not be inconvenienced by reason of the abandonment of the easement.
2. The Temporary Easement for Vehicular Turnaround recorded on December 8, 2005, in Book 11434, at Page 787-790, in the office of the Polk County Recorder, upon the portions of 4850 and 4851 E. Ovid Avenue more specifically described as follows, is hereby abandoned and released.

Temporary Turnaround Easement (f) on Lot 22, and Temporary Easement Area (e) on Lot 23, in Brook Run Village Plat 15, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.



Roll Call Number

Agenda Item Number

16

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- 3. The City Clerk is hereby authorized and directed to cause a certified copy of this resolution to be forwarded to the Legal Department for release to and recording by Savannah Homes.

( Council Communication No. 15- 290 )

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

FORM APPROVED:

*Roger K Brown*

Roger K. Brown

Assistant City Attorney

U:\Rog Docs\Plats\Pending\RC Release esmt at 4850 & 4851 E Ovid.doc

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



April 15, 2015

Mr. Phil Delafield  
Community Development Director  
Armory Building  
602 Robert D. Ray Dr.  
Des Moines, IA 50309-1881

RE: 4850 and 4851 E. Ovid

Dear Mr. Delafield;  
Please let this letter serve as our request to  
abandon the two easements and/or the  
requirement for a dead-end street turnaround on  
the above referenced lots.

Please do not hesitate to contact me with any  
questions.

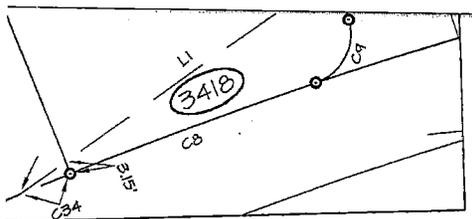
Sincerely,

Ted Grob  
President

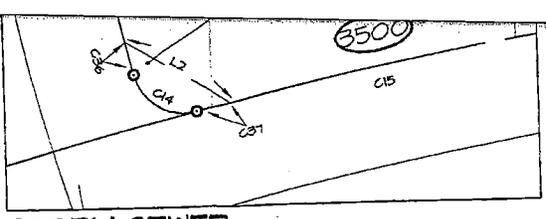
CC: Tom Gratius

800 South 50<sup>th</sup> Street  
Suite 101  
West Des Moines, IA  
50265  
p/515-221-2333  
f/515-221-4680  
www.savhms.com

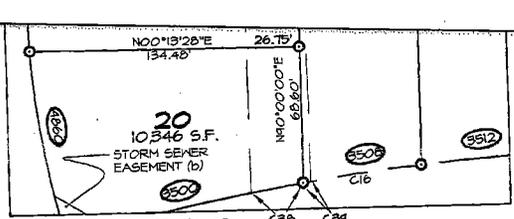
Homebuilding • Land Development



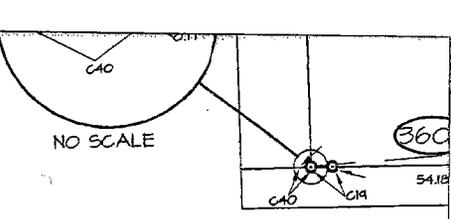
SEWER EASEMENT 'a'  
SCALE 1" = 30'



STORM SEWER EASEMENT 'b'  
SCALE 1" = 30'



STORM SEWER EASEMENT 'c'  
SCALE 1" = 60'



STORM SEWER EASEMENT 'd'  
SCALE 1" = 30'

1/4 SW 1/4 SEC

FND 5/8" I.R. W/ ORANGE CAP #12265  
SW CORNER OUTLOT 'Y'  
BROOK RUN VILLAGE PLAT 13

DARLENE A FINI  
4425 NE 38TH AVE  
80317-8023  
NW 1/4 NW 1/4 LESS L119A  
RD SEC 27-74-23

FND 5/8" I.R.  
NW CORNER OF  
BROOK RUN V

