

Date November 9, 2015

HEARING ON ADOPTION OF THE PROPOSED RESOLUTION
OF NECESSITY FOR SIDEWALK IMPROVEMENTS

WHEREAS, on October 12, 2015, under Roll Call No. 15-100, the City Council set this time and place for a hearing to receive and consider both written and oral objections and endorsements to the adoption of the proposed Resolution of Necessity for the construction of the following sidewalk improvements:

- SE 14th Street sidewalk construction at various locations from Indianola Avenue to Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01;
- Garfield Avenue sidewalk construction from E. 32nd Street to E. 33rd Street, Activity ID 09-2015-003, Schedule No. 2015-02

and authorized notice of this hearing be duly published and mailed to property owners and other persons having an interest in the matter as required by law; and

WHEREAS, this City Council now meets as specified in the published notice to receive and consider all field, written and oral objections and endorsements to the proposed Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That all filed, written and oral objections and endorsements having been fully reviewed and considered, the hearing on the adoption of the proposed Resolution of Necessity for the construction of said sidewalk improvements is now concluded and closed.

BE IT FURTHER RESOLVED: That the special assessments have been prepared in accordance with Council policy approved on June 26, 2000, under Roll Call No. 00-1876; therefore, Default Fund was not included in these special assessments.

BE IT FURTHER RESOLVED: That the proposed Resolution of Necessity described above for construction of the following sidewalk improvement:

- SE 14th Street sidewalk construction at various locations from Indianola Avenue to Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01;
- Garfield Avenue sidewalk construction from E. 32nd Street to E. 33rd Street, Activity ID 09-2015-003, Schedule No. 2015-02

is hereby:

06-2015-010
06-2016-010

★ Roll Call Number

Agenda Item Number
47A+B

Date November 9, 2015

- _____ Adopted, without further amendment, and all objections filed or made having been duly considered are overruled.
- _____ Adopted, as amended. All objections filed or made having been duly considered are overruled.
- _____ Closed regarding the Hearing and Action Deferred for later consideration to a Council meeting to be held on _____, 2015, next at 5:00 o'clock P.M., at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- _____ Abandoned.

Moved by _____ to adopt.

FORM APPROVED: *Kathleen Vanderpool* (Council Communication No. 15-596)
 Kathleen Vanderpool
 Deputy City Attorney

pse

Funding:

- S.E. 14th Street from Indianola Avenue to Army Post Road: 2015-2016 CIP, Page Street-32, Sidewalks School and Priority Routes, SW081, being \$37,250 from Special Assessment against benefited property owners, and \$87,750 in G.O. Bonds.
- Garfield Avenue from E. 32nd Street to E. 33rd Street: 2015-2016 CIP, Page Street-32, Sidewalks – School and Priority Routes, SW081, being \$16,007.09 from Special Assessment against benefited property owners, and \$38,992.91 in G.O. Bonds.

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

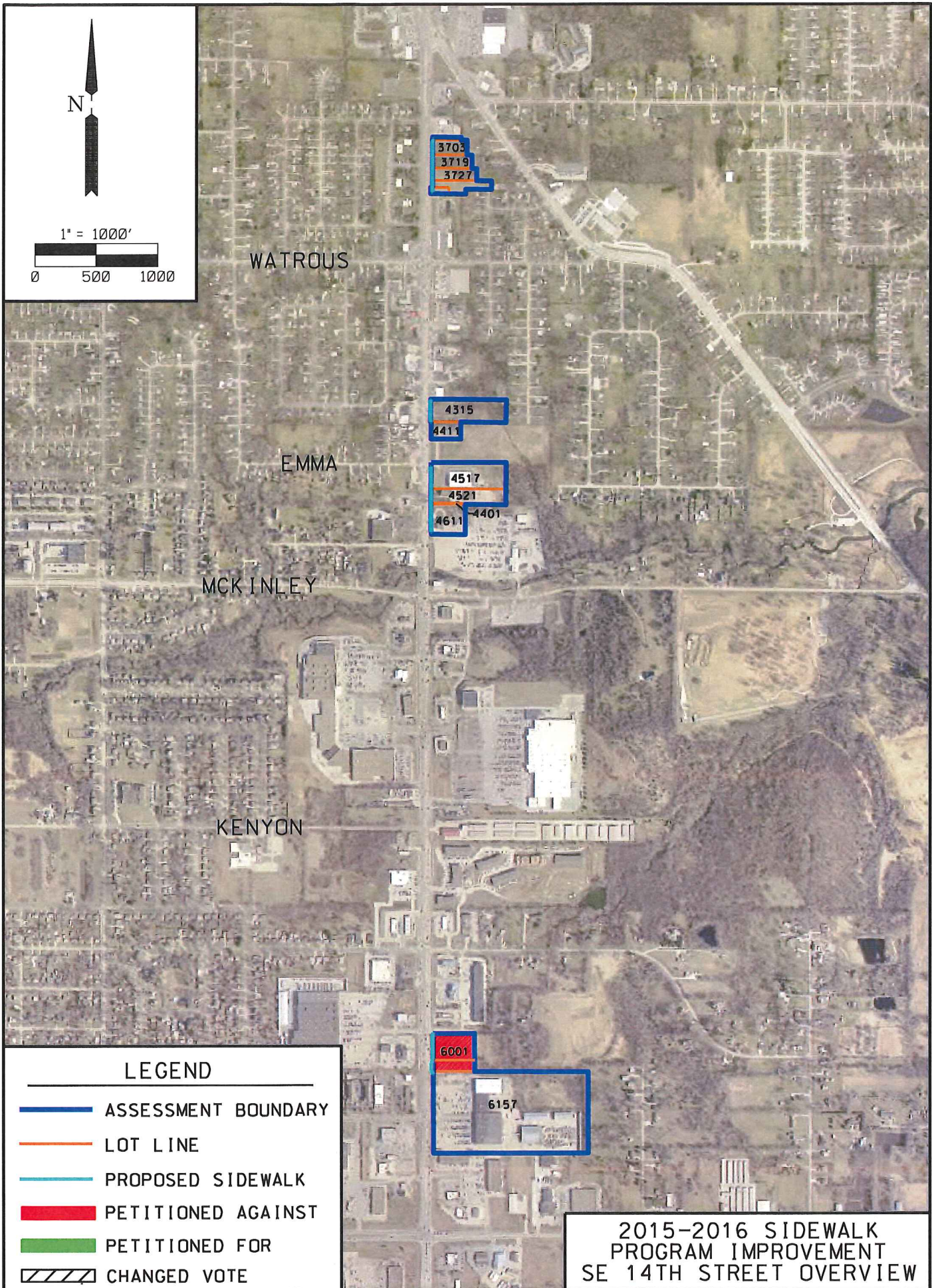
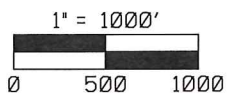
TABULATION OF PETITION for SIDEWALK
SE 14th STREET from INDIANOLA AVENUE TO ARMY POST ROAD

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	NUMBER OF <u>ASSESSED</u> <u>OWNERS</u>	NUMBER OF <u>ASSESSED</u> <u>OWNERS</u>		PERCENT OF <u>PROPERTY OWNERS</u>		<u>VOTES</u> <u>REQUIRED</u>
				<u>FOR</u>	<u>AGAINST</u>	<u>FOR</u>	<u>AGAINST</u>	
SE 14 th Street	Indianola Avenue	Army Post Road	9	0	1	0%	11.11%	6







<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>PARCELS</u>	PARCEL <u>OWNERSHIP</u>		PERCENT OF <u>ASSESSED AMOUNT</u>		<u>VOTES</u> <u>REQUIRED</u>
				<u>FOR</u>	<u>AGAINST</u>	<u>FOR</u>	<u>AGAINST</u>	
SE 14 th Street	Indianola Avenue	Army Post Road	10	0	2	0%	24.58%	6

Staff recommends the City Council receive and file petitions, close the Public Hearing, and adopt the Resolution of Necessity on this street.

47A

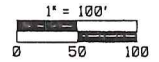
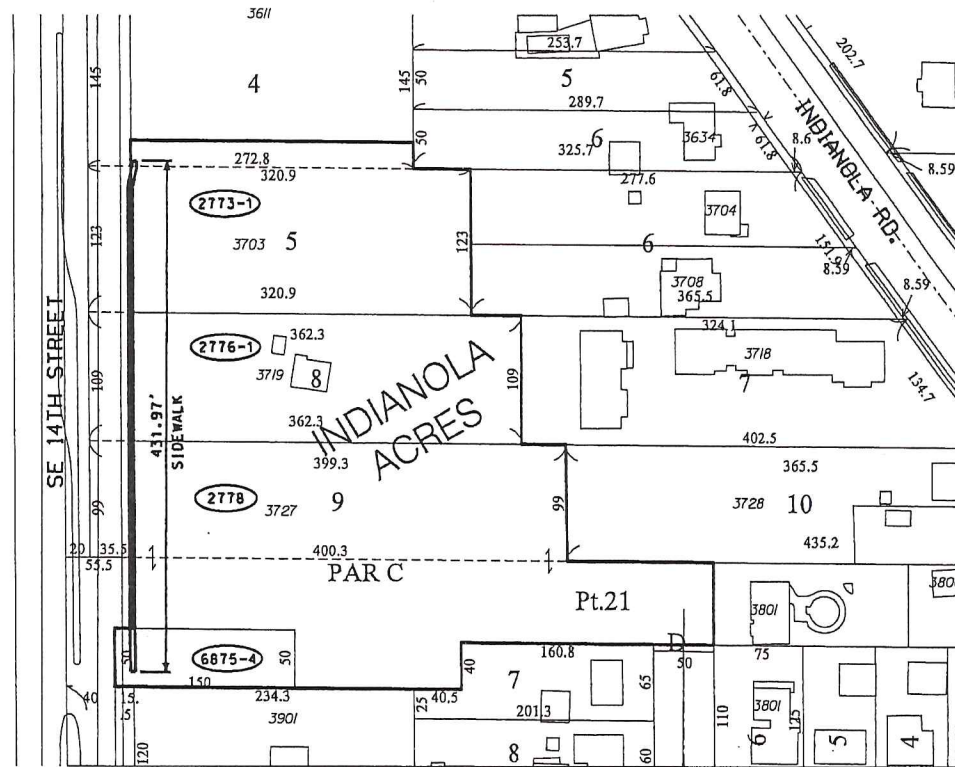


LEGEND





-  ASSESSMENT BOUNDARY
-  LOT LINE
-  PROPOSED SIDEWALK
-  PETITIONED AGAINST
-  PETITIONED FOR
-  CHANGED VOTE

2015-2016 SIDEWALK PROGRAM IMPROVEMENT
SE 14TH STREET OVERVIEW

DISTRICT 10



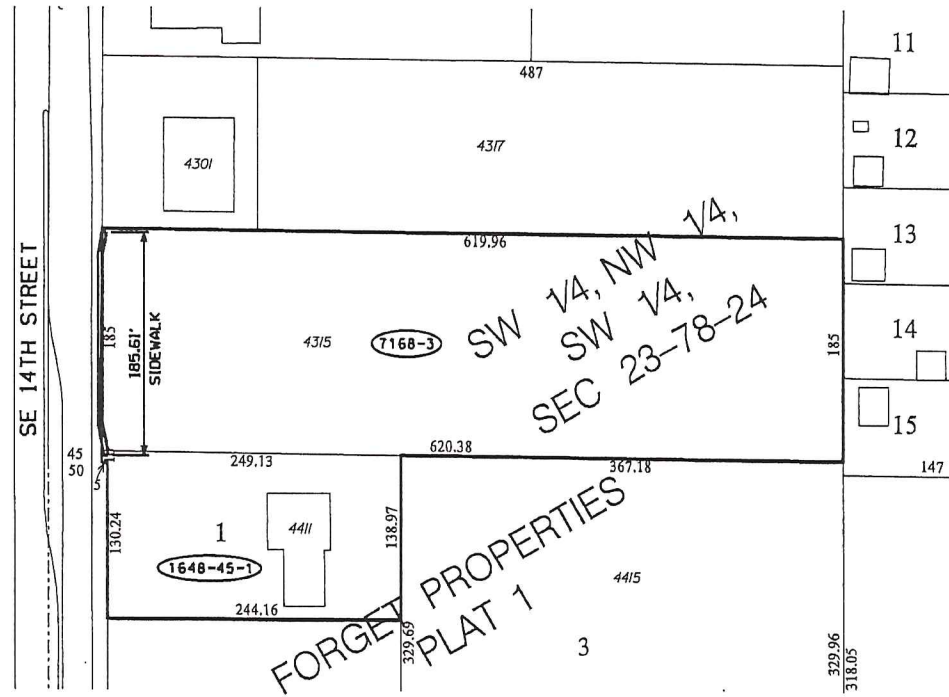
LEGEND

-  ASSESSMENT BOUNDARY
-  LOT LINE
-  OWNERSHIP LINE
-  PARCEL

2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
 SE 14TH STREET
 ACTIVITY I.D. 09-2015-001

47A

DISTRICT 12



LEGEND

- ASSESSMENT BOUNDARY
- LOT LINE
- - - OWNERSHIP LINE
- (XXX-X) PARCEL

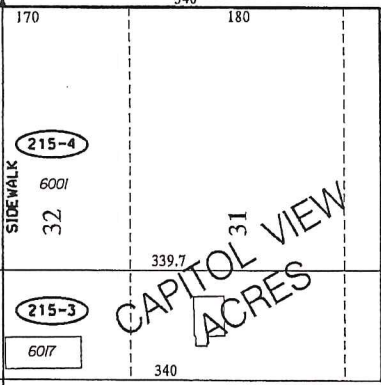
2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
SE 14TH STREET
ACTIVITY I.D. 09-2015-001

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DISTRICT 12

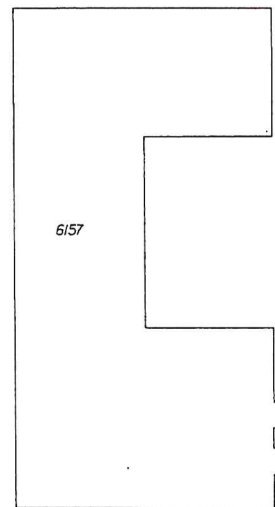
HART AVE.

SE 14TH STREET



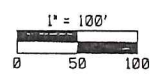
CAPITOL VIEW
ACRES

SW 1/4, SW 1/4,
SEC 26-78-24



LEGEND

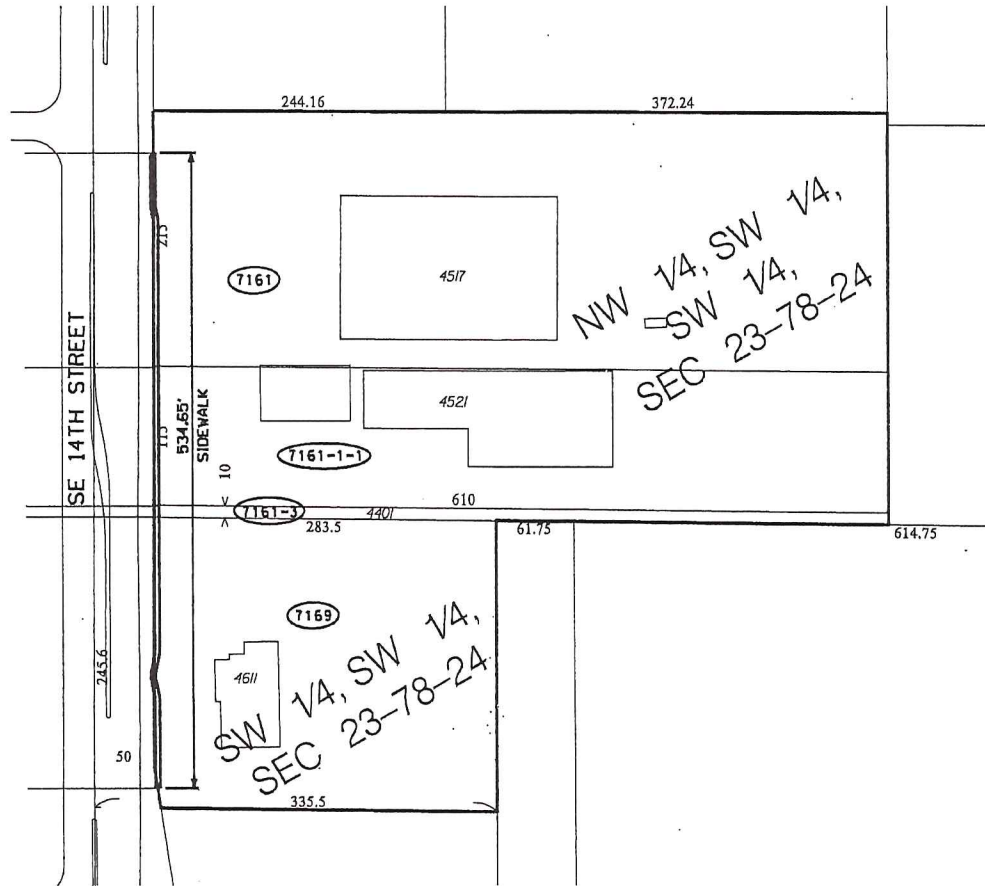
- ASSESSMENT BOUNDARY
- LOT LINE
- - - OWNERSHIP LINE
- (XXX-X) PARCEL



2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
SE 14TH STREET
ACTIVITY I.D. 09-2015-001

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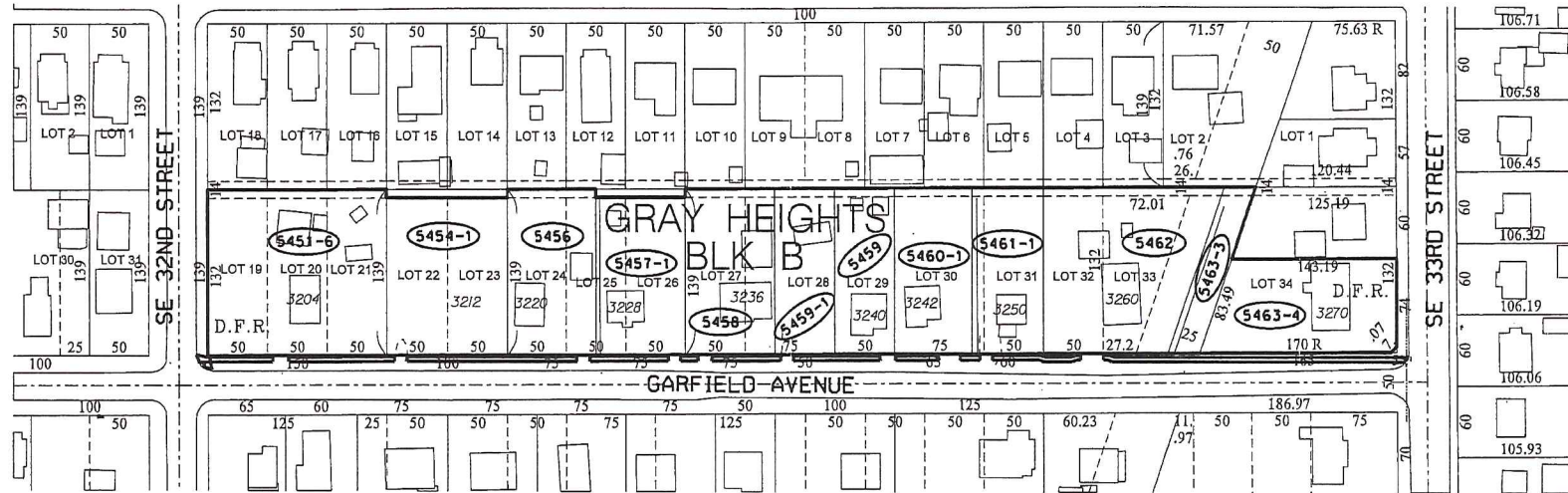
DISTRICT 12







2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
SE 14TH STREET
ACTIVITY I.D. 09-2015-001

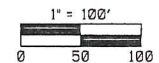
477A

DISTRICT 6



LEGEND

-  ASSESSMENT BOUNDARY
-  LOT LINE
-  OWNERSHIP LINE
-  PARCEL
- D.F.R. DOUBLE FRONTAGE REDUCTION



2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
 GARFIELD AVENUE
 ACTIVITY I.D. 09-2015-001

47B

TABULATION OF PETITION for SIDEWALK
GARFIELD AVENUE from E. 32nd STREET TO E. 33rd STREET

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>NUMBER OF ASSESSED OWNERS</u>	<u>NUMBER OF ASSESSED OWNERS</u>		<u>PERCENT OF PROPERTY OWNERS</u>		<u>VOTES REQUIRED</u>
				<u>FOR</u>	<u>AGAINST</u>	<u>FOR</u>	<u>AGAINST</u>	
Garfield Avenue	E. 32 nd Street	E. 33 rd Street	10	4	0	40%	0%	6




<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>PARCELS</u>	<u>PARCEL OWNERSHIP</u>		<u>PERCENT OF ASSESSED AMOUNT</u>		<u>VOTES REQUIRED</u>
				<u>FOR</u>	<u>AGAINST</u>	<u>FOR</u>	<u>AGAINST</u>	
Garfield Avenue	E. 32 nd Street	E. 33 rd Street	11	4	0	42.89%	0%	6

Staff recommends the City Council receive and file petitions, close the Public Hearing, and adopt the Resolution of Necessity on this street.

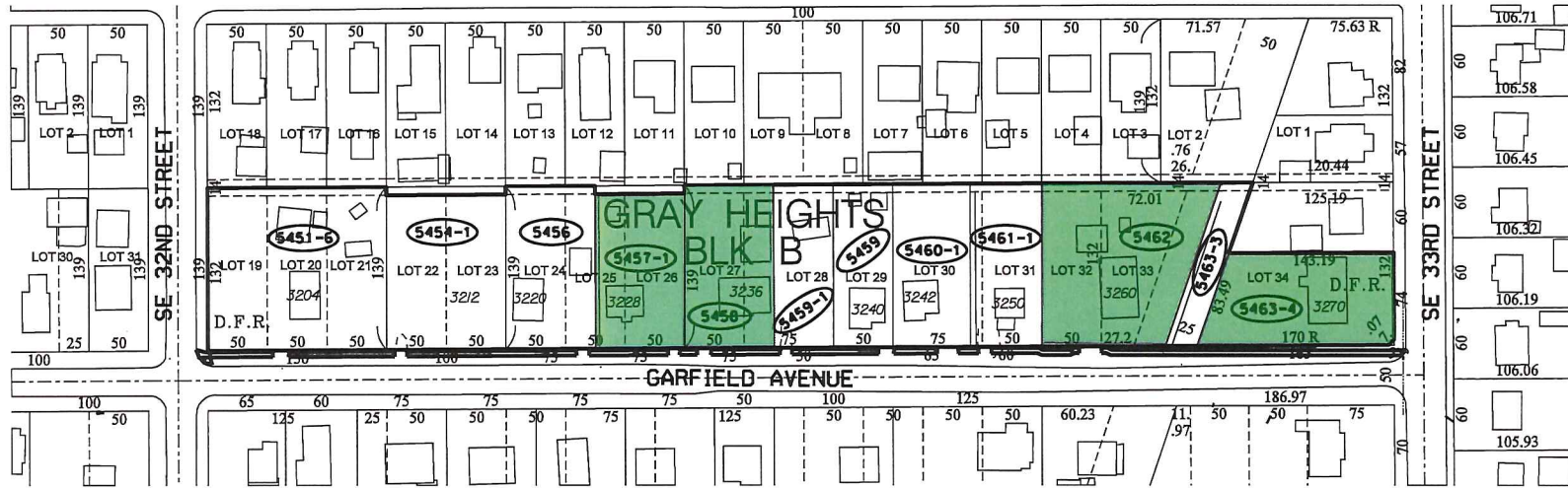
GMB

DISTRICT 6





PAVING PETITION RESULTS*

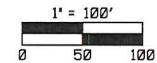
	FOR
	AGAINST
	CHANGED VOTE

*RESULTS AS OF 11/2/2015



LEGEND

-  ASSESSMENT BOUNDARY
-  LOT LINE
-  OWNERSHIP LINE
-  PARCEL
- D.F.R. DOUBLE FRONTAGE REDUCTION



2015-2016 SIDEWALK PROGRAM IMPROVEMENT AREA
 GARFIELD AVENUE
 ACTIVITY I.D. 09-2015-001

47B