

★ **Roll Call Number**

Agenda Item Number

14

Date June 12, 2017

**RESOLUTION AUTHORIZING AND APPROVING RELEASE OF EASEMENT
FOR PUBLIC UTILITY AND EASEMENT FOR DRAINAGE WITHIN
CENTRAL TERMINAL PARK SUBDIVISION**

WHEREAS, the City of Des Moines, Iowa ("City") acknowledges a certain plat containing an easement for public utility and drainage easement interests granted to the City bearing the date of November 17, 1968, and recorded in the office of the Recorder of Polk County Iowa in Book P, Page 217 on November 17, 1968 ("Easement"), in portions of the property known as Central Terminal Park, Des Moines, Polk County, Iowa; and

WHEREAS, as part of expansion of an existing industrial site, the developer would like to combine two parcels thus eliminating the easement. The City has received an affidavit advising there are no existing utilities within the easement area, so there is no public need for the public utility and drainage interests described herein and the public would not be inconvenienced by reason of the release of said Easement.

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

1. There is no public need for the public utility and drainage easement interests described herein and the public would not be inconvenienced by reason of the release of the Easement in the property specifically described as follows:

THE EAST 5.00 FEET EXCEPT THE NORTH 220.00 FEET OF LOT 5, CENTRAL TERMINAL PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

And

THE WEST 5.00 FEET OF LOT 6 AND THE WEST 5.00 FEET OF THE SOUTH 80.00 FEET OF LOT 7, CENTRAL TERMINAL PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. The Release of Easement Rights is hereby approved.
3. The City Clerk is authorized and directed to sign the Release of Easement Rights.
4. The City Clerk is authorized and directed to forward the original of the Release of Easement Rights, together with a certified copy of this resolution, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.

★ Roll Call Number

Agenda Item Number

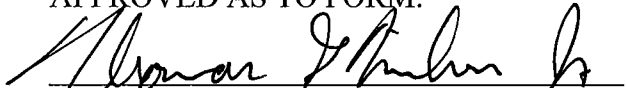
14

Date June 12, 2017

- 5. The Real Estate Division Manager is authorized and directed to forward the original of the Release of Easement Rights, together with a certified copy of this resolution, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
- 6. Upon receipt of the recorded document back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Release of Easement Rights to the grantee.

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Thomas G. Fisher Jr. Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

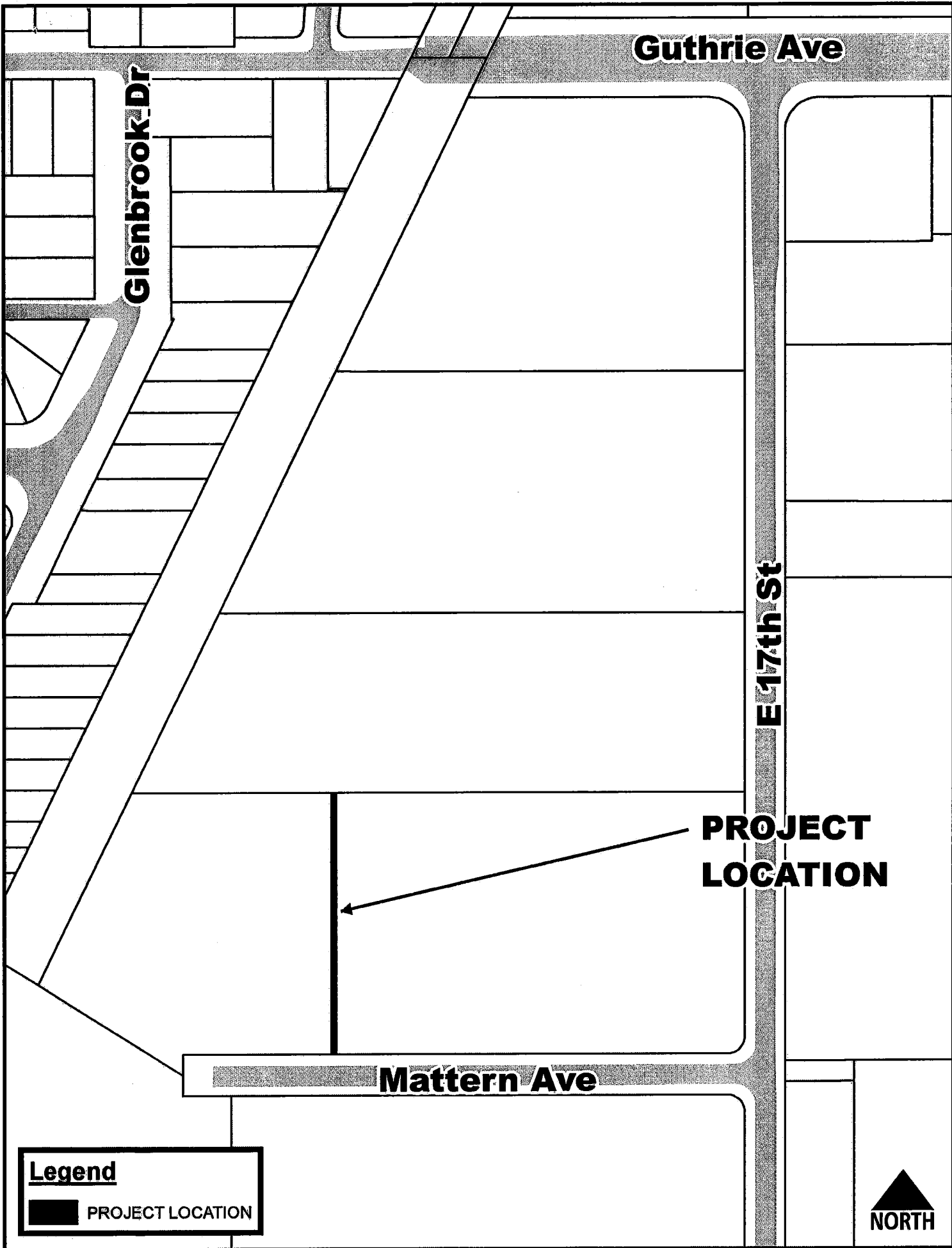
MOTION CARRIED APPROVED
 _____ Mayor

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



Guthrie Ave

Glenbrook Dr

E 17th St

**PROJECT
LOCATION**

Mattern Ave

Legend

PROJECT LOCATION

NORTH