



Date September 25, 2017

RESOLUTION APPROVING TERMINATION OF LOT TIE AGREEMENT NO LONGER NECESSARY FOR BUILDING AND FIRE CODE COMPLIANCE

WHEREAS, on November 24, 2014, the owner of the property located at 1221 Keo Way in Des Moines Iowa entered into a Lot Tie (the "Lot Tie") in order to comply with City of Des Moines building and fire codes that require a certain set-back distance; and,

WHEREAS, the Lot Tie provided that it could not be amended without the approval of the city of Des Moines; and,

WHEREAS, subsequent to entering into the Lot Tie, the owner of 1221 Keo Way joined the various tax parcels at that location into one parcel, thus eliminating the need for the Lot Tie and the owner now desires to terminate the Lot Tie; and,

WHEREAS the owner has submitted the Release of Lot Tie to the City for approval and it has been reviewed and approved as to form by the Legal Department.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines that the Easement Agreement submitted by the owner for approval is hereby approved and the mayor and city clerk are hereby authorized and directed to execute the easement agreement on behalf of the city of Des Moines.

MOVED by _____ to adopt.

FORM APPROVED:

Thomas G. Fisher Jr.

Thomas G. Fisher Jr., Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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