



Date ..... November 6, 2017.....

**RESOLUTION SETTING DATE OF PUBLIC HEARING ON THE APPLICATION FOR VOLUNTARY ANNEXATION BY JOHN H. DAWSON, THOMAS G. DAWSON AND LARRY M. DAWSON**

WHEREAS, on August 4, 2017, John H. Dawson, Thomas G. Dawson and Larry M. Dawson as all of the titleholders of the affected property, filed an application for voluntary annexation, including the t of the following-described property:

The South 577.5 feet of Lot 2 Stephen Harvey Estate, Polk County Iowa, except the South 50.00 feet of said Lot 2, and except the East 100.0 feet of the South 212.5 feet of said Lot 2; said tract of land being subject to and together with any and all easements of record;

This parcel contains 7.55 acres and is shown on the maps attached as Exhibit A; and,

WHEREAS, on October 30, 2017, the City received a review of the legal description of the parcel, the adjacent parcels and the list of adjacent titleholders, approving the descriptions and list; and,

WHEREAS, on November 3, 2017, the City held a consultation meeting, with prior notice to Polk County and Delaware Township as required by Iowa Code section 368.7; and,

WHEREAS, the City Council of Des Moines must provide notice and hold a public hearing on the Application.

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

1. A public hearing shall be held before the City Council to consider the Application for Voluntary Annexation at 5:00 p.m. on December 4, 2017, in the City Council Chambers, Municipal Service Center, 1551 E. M.L. King, Jr. Parkway, Des Moines, Iowa.
2. The City Clerk is authorized and directed to publish notice of said public hearing in the form attached hereto as Exhibit A in the Des Moines Register on or before November 16, 2017.

(CONTINUED)



Roll Call Number

Agenda Item Number

20

Date November 6, 2017

3. The City Legal Department is directed to provide proper mailed notice of the Public Hearing as required by Iowa Code section 368.7.

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

FORM APPROVED:

*Thomas G. Fisher Jr.*

Thomas G. Fisher Jr.  
Assistant City Attorney

Exhibits:

- A – Maps of Parcel
- B – Notice of Public Hearing

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

ANNEXATION MAP

BALANCE DESCRIPTION:

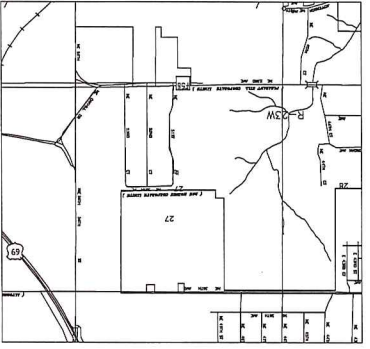
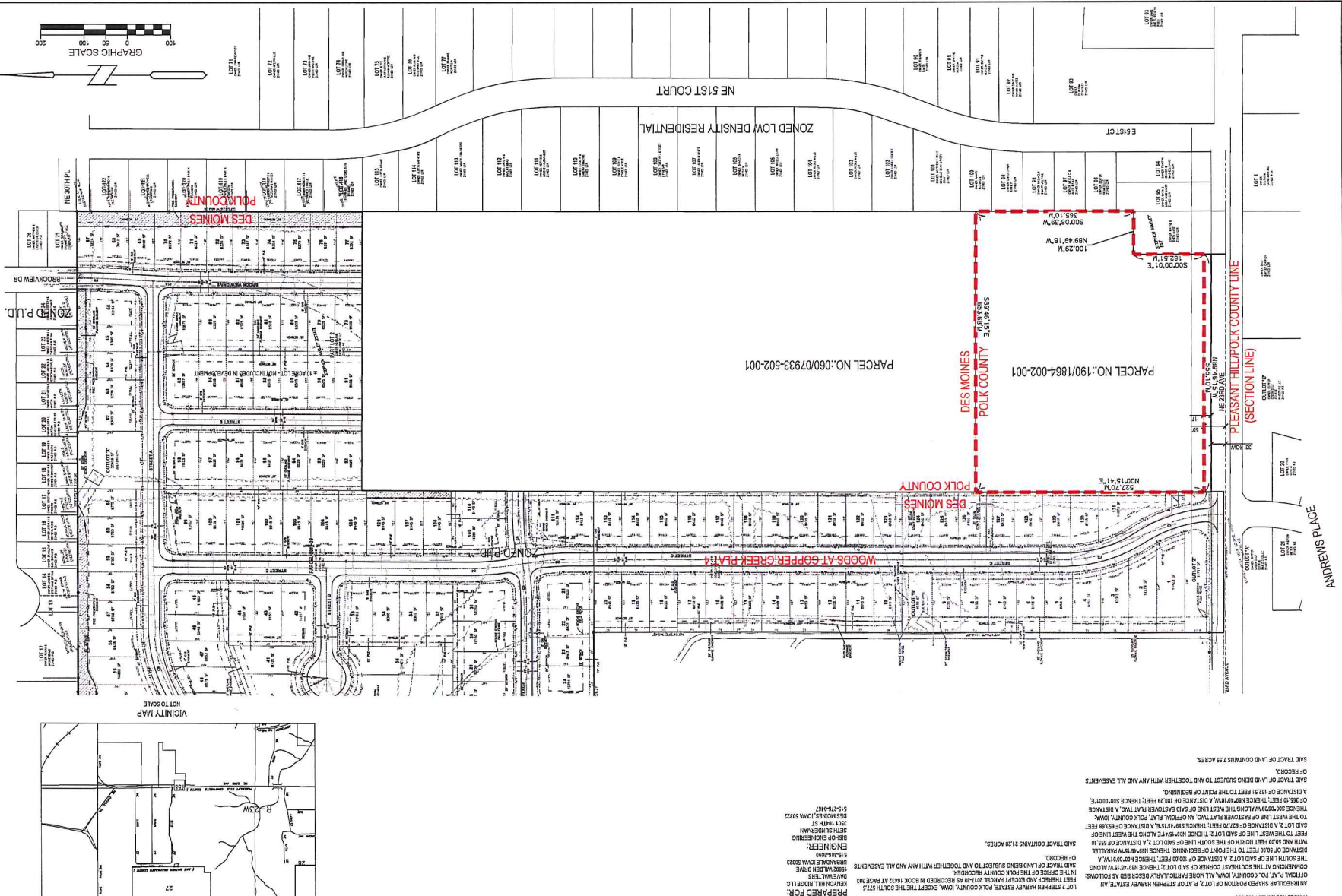
AREA TO BE ANNEXED DESCRIPTION:

Parcel No. 1901864-002-001  
 LOT 2 STEPHEN HANBER ESTATE, IOWA, EXCEPT THE SOUTH 57.5 FEET THEREOF AND EXCEPT THOSE SHOWN AS ACCORDING TO BOOK 1422 AT PAGE 303 IN THE OFFICE OF THE POLK COUNTY RECORDER.  
 COMPENSING THE SOUTHWEST CORNER OF SAID LOT 2, THENCE N29°42'30"W A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING; THENCE N19°47'57"W A DISTANCE OF 168.00 FEET TO THE WEST LINE OF SAID LOT 2, THENCE N76°41'00"E ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 515.12 FEET TO THE POINT OF BEGINNING; THENCE N47°45'17"W PARALLEL WITHIN AND 53.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 515.12 FEET TO THE WEST LINE OF EATON/CLAY AVENUE, POLK COUNTY, IOWA.  
 SAID LOT 2, A DISTANCE OF 432.29 FEET; THENCE S49°48'17"E, A DISTANCE OF 153.88 FEET TO THE WEST LINE OF EATON/CLAY AVENUE, POLK COUNTY, IOWA.  
 A DISTANCE OF 423.14 FEET TO THE POINT OF BEGINNING.  
 SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD,  
 SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD,  
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 5064 NE 23RD AVE  
 DES MOINES IOWA 50317  
 DES MOINES IOWA 50317

GENERAL NOTES:

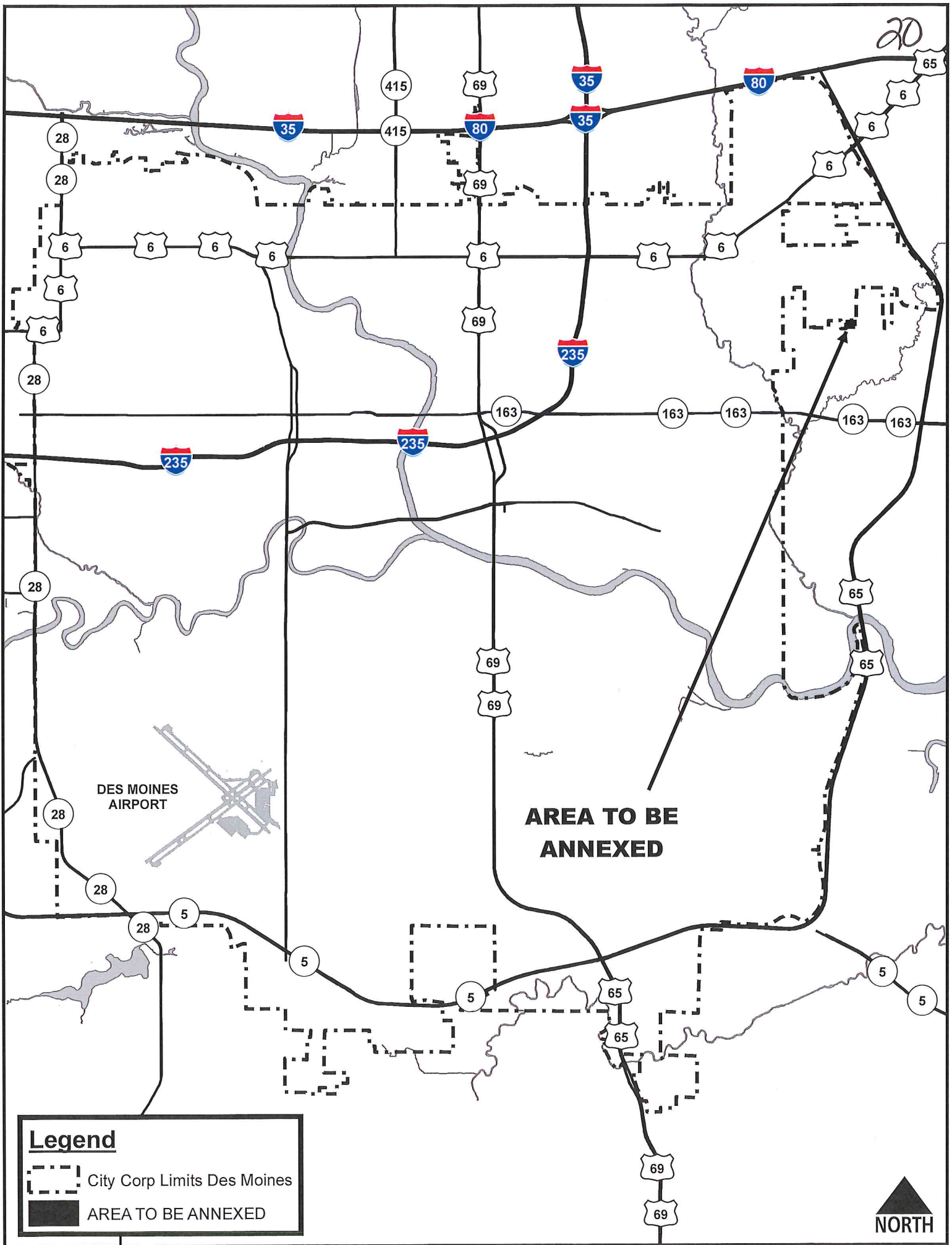
AREA WITHIN CITY OF DES MOINES IS CURRENTLY ZONED R1  
 AREA WITHIN POLK COUNTY IS CURRENTLY ZONED LOW DENSITY RESIDENTIAL

Exhibit A



VICINITY MAP NOT TO SCALE

**Bishop Engineering**  
 Planning Your Successful Development  
 1301 IOWA STREET  
 DES MOINES IOWA 50317  
 Phone: 515/283-7481 Fax: 515/283-2277  
 Civil Engineering & Land Surveying Established 1959



**NOTICE OF APPLICATION FOR VOLUNTARY ANNEXATION AND HEARING**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that an Application for Voluntary Annexation has been filed by John H. Dawson, Thomas G. Dawson and Larry M. Dawson with the City of Des Moines. The Application seeks to annex the following-described property to the City:

The South 577.5 feet of Lot 2 Stephen Harvey Estate, Polk County Iowa, except the South 50.00 feet of said Lot 2, and except the East 100.0 feet of the South 212.5 feet of said Lot 2; said tract of land being subject to and together with any and all easements of record, a territory of approximately 7.55 acres.

The Application further states that the applicants constitute 100 percent of the owners of the territory proposed to be annexed, that solid waste services are currently provided by the City of Des Moines and water service is currently by the Des Moines Water Works.

NOTICE IS FURTHER GIVEN that on December 4, 2017, at 5:00 p.m. in the Council Chambers, Municipal Service Center, 1551 E. M.L. King, Jr. Parkway, Des Moines, Iowa the City will hold hearing on the Application. At this designated time and place, opportunity to be heard will be given to proponents and opponents of the Application. The Application, a map of the area to be annexed and a composite map are on file and available for public inspection in the Office of the City Clerk.

CITY OF DES MOINES, IOWA

\_\_\_\_\_  
T.M. Franklin Cownie, Mayor

Published in the Des Moines Register on \_\_\_\_\_.