Date April 9, 2018

SET HEARING FOR CONVEYANCE OF A PERMANENT EASEMENT FOR WATER MAIN ACROSS CITY-OWNED PROPERTY LOCATED IN GRAY'S LAKE PARK TO DES MOINES WATER WORKS FOR $1.00

WHEREAS, the Board of Water Works Trustees of the City of Des Moines, Iowa has requested a Permanent Easement for Water Main be granted to the City of Des Moines for the use and benefit of the Board of Water Works Trustees of the City of Des Moines, Iowa (hereinafter "Des Moines Water Works") across a portion of City-owned property located within Gray's Lake Park east of Fleur Drive at George Flagg Parkway (hereinafter "Property") more particularly described below; and,

WHEREAS, Des Moines Water Works has requested that the City convey said Permanent Easement for Water Main to the City of Des Moines for the use and benefit of the Board of Water Works Trustees of the City of Des Moines, Iowa in accordance with Iowa Code Section 364.7(3) for the public purposes of constructing, reconstructing, repairing, enlarging, maintaining, accessing, and operating a water main, together with appurtenances thereto, both above and below ground, under, over, through and across said Property; and

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

1. The City Council of the City of Des Moines, Iowa, proposes to convey a Permanent Easement for Water Main in a portion of City-owned property located within Gray's Lake Park east of Fleur Drive at George Flagg Parkway, as described below, to Des Moines Water Works for public use of constructing, reconstructing, repairing, enlarging, maintaining, accessing, and operating a water main as consideration in accordance with Iowa Code Section 364.7(3):

> A PART OF LOT 1 AND A PART OF LOT 2, HARRIET PLACE, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:
>
> COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 0°00'00" EAST (THE WEST LINE OF SAID LOT 1 IS ASSUMED TO BEAR NORTH 00°00'00" EAST FOR THE PURPOSE OF THIS DESCRIPTION ONLY), ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 586.70 FEET; THENCE NORTH 90°00'00" EAST, 23.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF FLEUR DRIVE AND THE POINT OF BEGINNING; THENCE NORTH 0°00'00" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 150.00 FEET; THENCE NORTH 90°00'00" EAST, 95.00 FEET; THENCE SOUTH 0°00'00" WEST, 750.04 FEET TO A POINT 50 FEET SOUTHERLY MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID LOT 1 AND BEING THE SOUTH LINE OF AN AFFIDAVIT EXPLANATORY OF TITLE RECORDED IN BOOK 12782, PAGE 871-872 IN THE POLK COUNTY RECORDERS OFFICE; THENCE SOUTH 71°33'00" WEST ALONG SAID SOUTH LINE, 42.17 FEET; THENCE NORTH 0°00'00" EAST, 613.39 FEET; THENCE SOUTH 90°00'00" WEST 55.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.88 ACRES (38,519 S.F.).

2. A public hearing shall be held on April 23, 2018, at 5:00 p.m. in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.

3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

4. There will be no proceeds associated with the conveyance of this Permanent Easement for Water Main.

Moved by _____ to adopt.

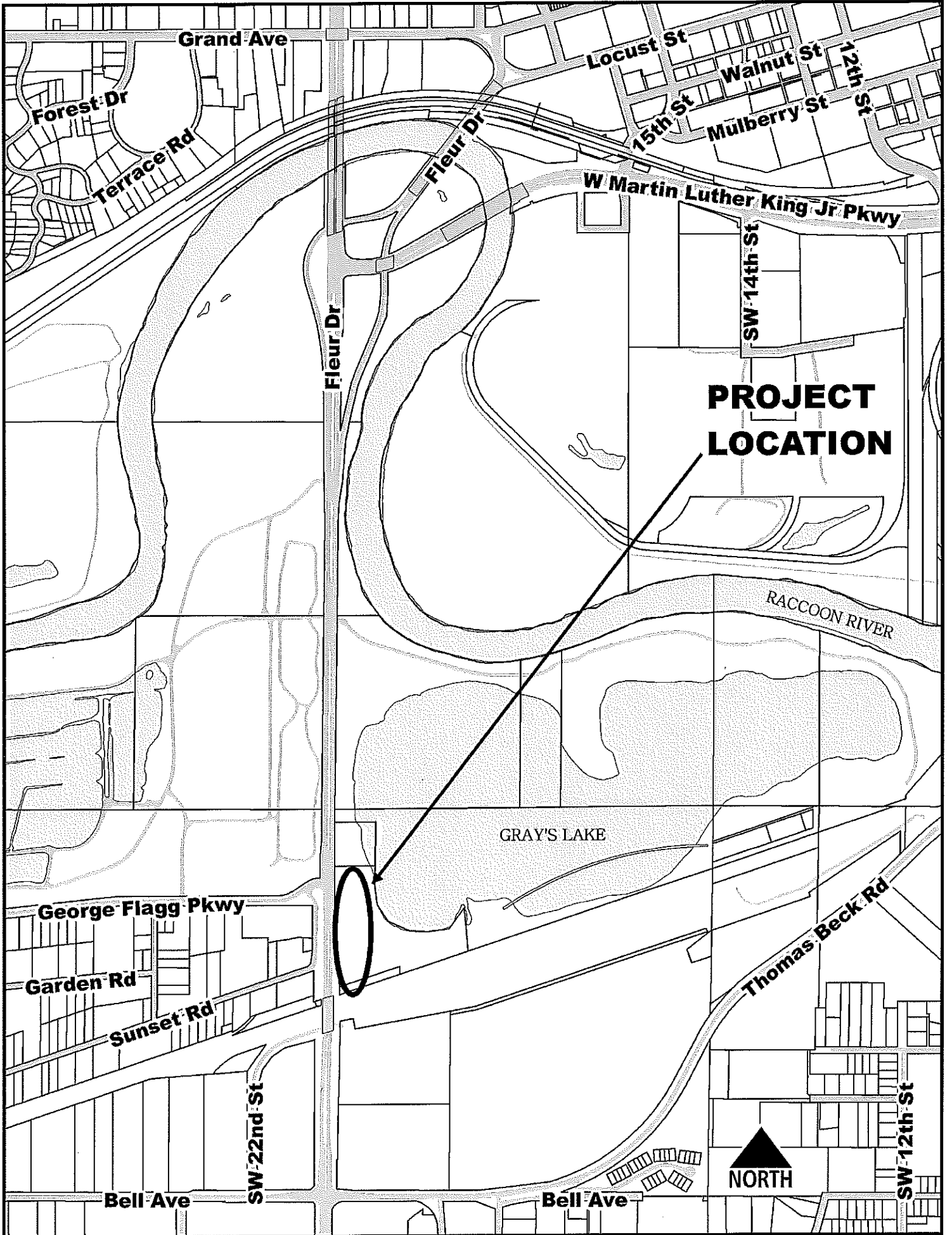APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

27

Grand Ave

Forest Dr

Terrace Rd

Locust St

Walnut St

15th St

Mulberry St

12th St

Fleur Dr

W Martin Luther King Jr Pkwy

SW 14th St

PROJECT LOCATION

Fleur Dr

RACCOON RIVER

George Flagg Pkwy

GRAY'S LAKE

Thomas Beck Rd

Garden Rd

Sunset Rd

SW 22nd St

Bell Ave

Bell Ave

SW 12th St

NORTH