

★ **Roll Call Number**

Agenda Item Number

40B

Date October 8, 2018

An Ordinance entitled, "AN ORDINANCE vacating a portion of NE 47th Court, south of Hubbell Avenue",


which was considered and voted upon under Roll Call No. 18-_____ of October 8, 2018; again presented.

Moved by _____ that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO. _____

NOTE: Waiver of this rule is requested by Hubbell Realty.

FORM APPROVED:


 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

403
402

Henry, Sara B.

From: Fisher Jr., Thomas G.
Sent: Tuesday, October 2, 2018 2:42 PM
To: Henry, Sara B.
Cc: Wieland, Lisa A.
Subject: FW: Summersfield Plat 4

Sara,

This is a request from Hubbell Realty Company and Summersfield, LLC to waive additional readings on the vacation of right of way for the property subject to the property exchange between the City and Hubbell. Please let me know if you need anything else,

Tom

From: Miller, BJ @ Hubbell Realty [mailto:bj.miller@hubbellrealty.com]
Sent: Tuesday, October 2, 2018 2:33 PM
To: Fisher Jr., Thomas G. <TGFisher@dmgov.org>
Cc: Sommer, Jillian L. <JLSommer@DMGOV.ORG>
Subject: RE: Summersfield Plat 4

Tom:

Thank you. I will get the signed Owner Consent and Fire Access Easement to you as soon as Joe signs. Should be tomorrow at the latest. I am reviewing the exchange agreement next so will make sure to have that to the Real Estate Division by Friday.

Completion of the land swap and filing of this plat is very critical for Hubbell. Please let this email serve as the request by Hubbell Realty Company and Summersfield, LLC to have the additional readings for vacating the right of way be waived so that we can proceed with this development on an expedited basis. If anything further is necessary from us to expedite and waive the additional readings let me know. Thanks.

BJ

From: Fisher Jr., Thomas G. <TGFisher@dmgov.org>
Sent: Tuesday, October 02, 2018 1:33 PM
To: Miller, BJ @ Hubbell Realty <bj.miller@hubbellrealty.com>
Cc: Sommer, Jillian L. <JLSommer@DMGOV.ORG>
Subject: RE: Summersfield Plat 4

BJ,

Thank you for these documents. All the legal documents, except for the title opinion are acceptable. Subject to a receipt of a new title opinion showing title in Summersfield, LLC and Hubbell Realty Company and signed originals of the revised Owner Consent and Fire Access Easement, the legal documents for this plat are complete.

The plat approval will be on the agenda for October 8th. It will follow and be subject to Council vacating the right of way, waiving second and third readings on the vacation and approving the real estate exchange agreement. My understanding is that the signed real estate exchange agreement has not yet been received by the City's Real Estate Division, which will be required by Friday, October 4th.