



12-7(C)✓

DATE December 3, 2018

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN
MCANINCH CORPORATION AND
HRC NFS I, LLC
FOR STORM SEWER IMPROVEMENTS IN GRAY'S STATION PLAT 2
\$28,927.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached contract documents for a Private Construction Contract in the amount of \$28,927.00 between McAninch Corporation, Douglas D. McAninch, President/CEO, 4001 Delaware Avenue, Des Moines, IA, 50313 - as Contractor, and HRC NFS I, LLC, Rick Tollackson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Storm Sewer Improvements described as storm sewer improvements to serve Gray's Station Plat 2, as shown on Plan File Numbers 598-001/064, that are located on property previously owned by River Point West, LLC and now owned by the City of Des Moines, Iowa, which property is as legally described in attached Exhibits D-1 and D-2, which improvements and property were excluded from the Private Construction Contract for construction of storm sewer improvements between Owner and Contractor dated September 7, 2018, be and the same are hereby approved and permission be and is hereby granted to the parties of said contract to construct said Storm Sewer Improvements in accordance with said contract documents **all contingent upon and subject to:**

1. Receipt of Private Construction Contracts prepared by the Legal Department, and bond approved as to form by the Legal Department, fees due with submission of Private Construction Contract and certificate of insurance acceptable to the Engineering Department; and
2. Inspection and approval of the Des Moines City Engineer.

BE IT FURTHER RESOLVED that the City will not accept ownership of the Improvements, as defined in the Private Construction Contract, until the City Council has determined that the following conditions have been met:

1. All conditions set forth in the Private Construction Contract have been met; and
2. Owner and Contractor have complied with any additional testing requirements and made all repairs determined necessary by the City Engineer for acceptance of the Improvements; and
3. The necessary permanent property interest from River Point West, L.L.C. have been acquired to construct all improvements described to serve Gray's Station Preliminary Plat 2, as shown on Plan File Numbers 598-001/064; and
4. HRC NFS I, LLC has completed construction of the additional storm sewer improvements which are included in a Private Construction Contract approved by the City on September 7, 2018; and
5. The City Engineer recommends acceptance of the Improvements to the City Council; and
6. Council has accepted by resolution the storm sewer improvements constructed pursuant to the Private Construction Contract approved by the City on September 7, 2018.

★ **Roll Call Number**

Agenda Item Number

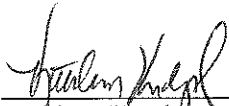
12-I(c)

DATE December 3, 2018

Activity ID: 08-2019-107

Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), HRC NFS I, LLC

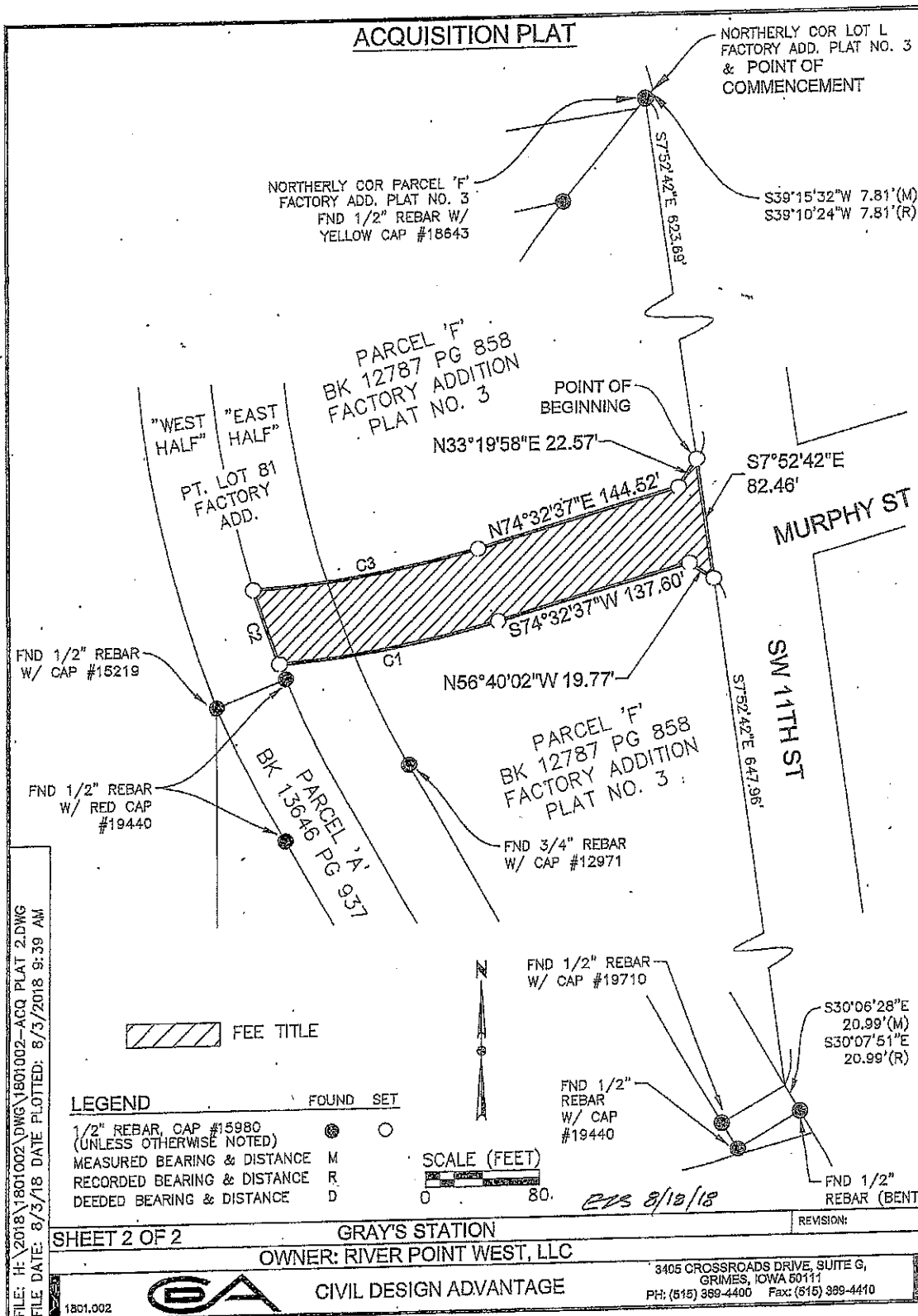
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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

EXHIBIT "D-1"
Survey of Murphy Street Right-of-Way



INDEX LEGEND

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, PT.
LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE
201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR
COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400

ACQUISITION PLAT
OF PROPERTY BEING CONVEYED
TO THE CITY OF DES MOINES

AREA SUMMARY	TAX PARCEL	DATE OF SURVEY
0.38 ACRES (16,525 S.F.)	PT 020/D1041-004-011 PT 020/D1091-005-005	FEBRUARY, 2018 <u>REVISED</u> AUGUST, 2018

LEGAL DESCRIPTION

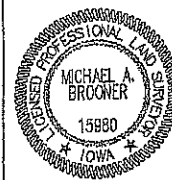
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COMMENCING AT THE NORTHERLY CORNER OF LOT 'L', SAID FACTORY ADDITION PLAT NO. 3, AN OFFICIAL PLAT; THENCE SOUTH 39°(DEGREES) 15'(MINUTES) 32"(SECONDS) WEST, 7.81 FEET TO THE NORTHERLY CORNER OF SAID PARCEL 'F'; THENCE SOUTH 7°52'42" EAST ALONG THE EASTERLY LINE OF SAID PARCEL 'F', 823.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 07°52'42" EAST ALONG SAID EASTERLY LINE, 82.46 FEET; THENCE NORTH 56°40'02" WEST, 19.77 FEET; THENCE SOUTH 74°32'37" WEST, 137.60 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 776.00 FEET, WHOSE ARC LENGTH IS 155.12 FEET AND WHOSE CHORD BEARS SOUTH 80°16'13" WEST, 154.86 FEET TO A POINT ON THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81; THENCE NORTHERLY ALONG SAID WEST LINE AND A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 716.25 FEET, WHOSE ARC LENGTH IS 54.09 FEET AND WHOSE CHORD BEARS NORTH 19°22'17" WEST, 54.08 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 724.00 FEET, WHOSE ARC LENGTH IS 159.05 FEET AND WHOSE CHORD BEARS NORTH 80°50'14" EAST, 158.73 FEET; THENCE NORTH 74°32'37" EAST, 144.52 FEET; THENCE NORTH 33°19'58" EAST, 22.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.38 ACRES (16,525 SQUARE FEET).

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	11°27'11"	776.00'	155.12'	S80°16'13"W	154.86'
C2	4°19'36"	716.25'	54.09'	N19°22'17"W	54.08'
C3	12°35'14"	724.00'	159.05'	N80°50'14"E	158.73'

EAS 8/8/18



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Michael Brooner 8-7-2018
MICHAEL A. BROONER, P.L.S. DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018
PAGES OR SHEETS COVERED BY THIS SEAL:

SHEETS 1-2

FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 2.DWG
DATE PLOTTED: 8/3/2018 9:30 AM
FILE DATE: 2/20/18

SHEET 1 OF 2

GRAY'S STATION
OWNER: RIVER POINT WEST, LLC

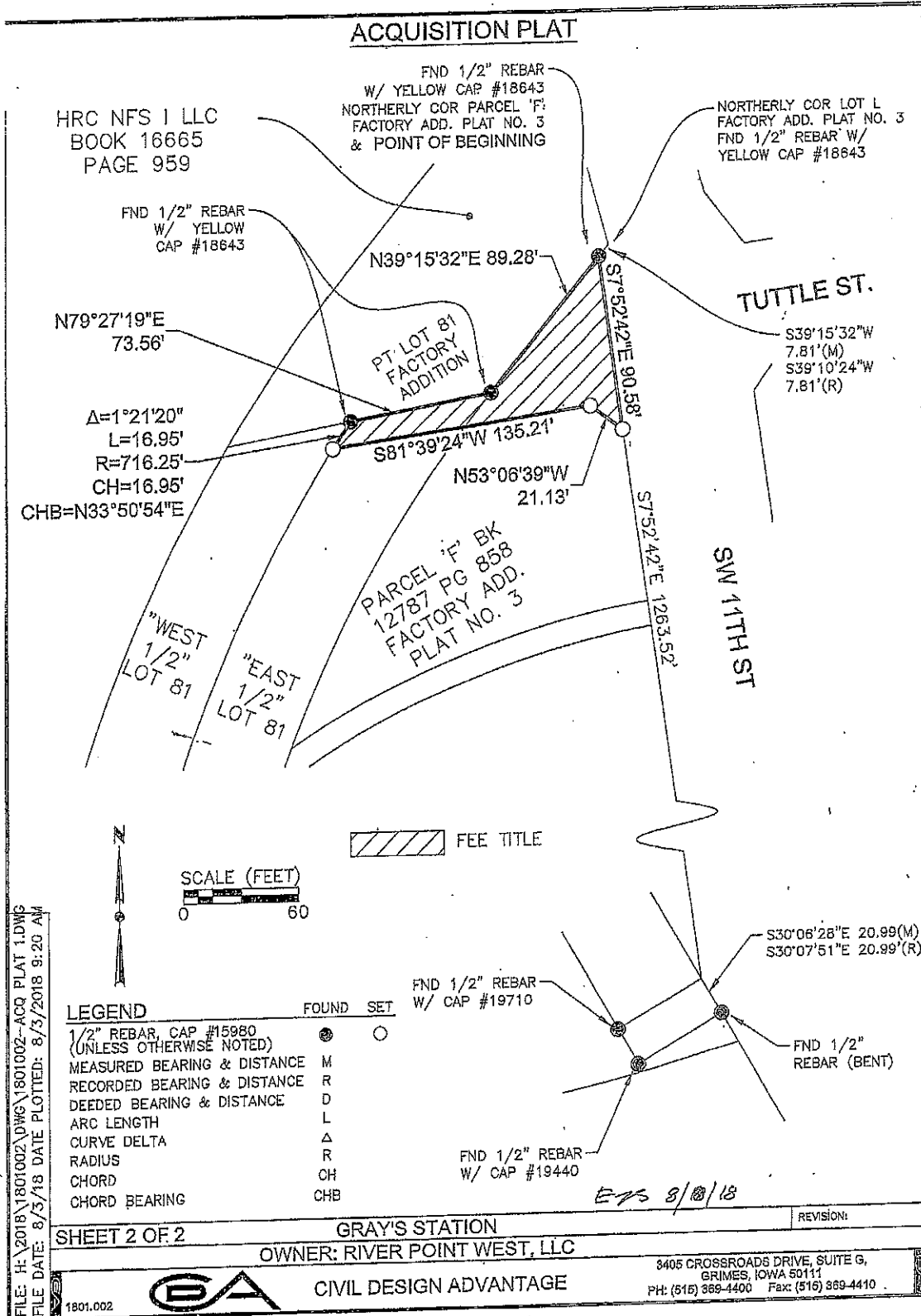
REVISION:



CIVIL DESIGN ADVANTAGE

3405 CROSSROADS DRIVE, SUITE G,
GRIMES, IOWA 50111
PH: (515) 369-4400 Fax: (515) 369-4410

EXHIBIT "D-2"
Survey of Tuttle Street Right-of-way



FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 1.DWG
 FILE DATE: 8/3/18 DATE PLOTTED: 8/3/2018 9:20 AM

LEGEND	FOUND	SET
1/2" REBAR, CAP #15980 (UNLESS OTHERWISE NOTED)	●	○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
ARC LENGTH	L	
CURVE DELTA	Δ	
RADIUS	R	
CHORD	CH	
CHORD BEARING	CHB	

EAS 8/3/18

INDEX LEGEND

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE 201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400

ACQUISITION PLAT

OF PROPERTY BEING CONVEYED
TO CITY OF DES MOINES

AREA SUMMARY

0.10 ACRES (4,187 S.F.)

TAX PARCEL

PT 020/01041-004-011
PT 020/01091-005-005

DATE OF SURVEY

FEBRUARY, 2018

REVISED

AUGUST, 2018

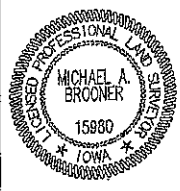
LEGAL DESCRIPTION

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BEGINNING AT THE NORTHERLY CORNER OF SAID PARCEL 'F'; THENCE SOUTH 07°(DEGREES) 52'(MINUTES) 42'(SECONDS) EAST ALONG THE EASTERLY LINE OF SAID PARCEL 'F', 90.58 FEET; THENCE NORTH 53°06'39" WEST, 21.13 FEET; THENCE SOUTH 81°39'24" WEST, 135.21 FEET TO THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81; THENCE NORTHEASTERLY ALONG SAID WEST LINE AND A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 716.25 FEET, WHOSE ARC LENGTH IS 16.95 FEET AND WHOSE CHORD BEARS NORTH 33°50'54" EAST, 16.95 FEET TO THE SOUTH LINE OF THE PROPERTY CONVEYED BY THE ACQUISITION PLAT RECORDED IN BOOK 13747, PAGE 831; THENCE NORTH 79°27'19" EAST ALONG SAID SOUTH LINE, 73.56 FEET TO THE SOUTHEAST CORNER OF SAID CONVEYED PROPERTY; THENCE NORTH 39°15'32" EAST ALONG THE EASTERLY LINE OF SAID CONVEYED PROPERTY, 89.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.10 ACRES (4,187 SQUARE FEET).

FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 1.DWG
DATE: 8/5/18 DATE PLOTTED: 8/3/2018 9:20 AM

EPS 8/5/18



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Michael Brooner 8-7-2018
MICHAEL A. BROONER, P.L.S. DATE

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PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1-2

SHEET 1 OF 2

GRAY'S STATION

OWNER: RIVER POINT WEST, LLC

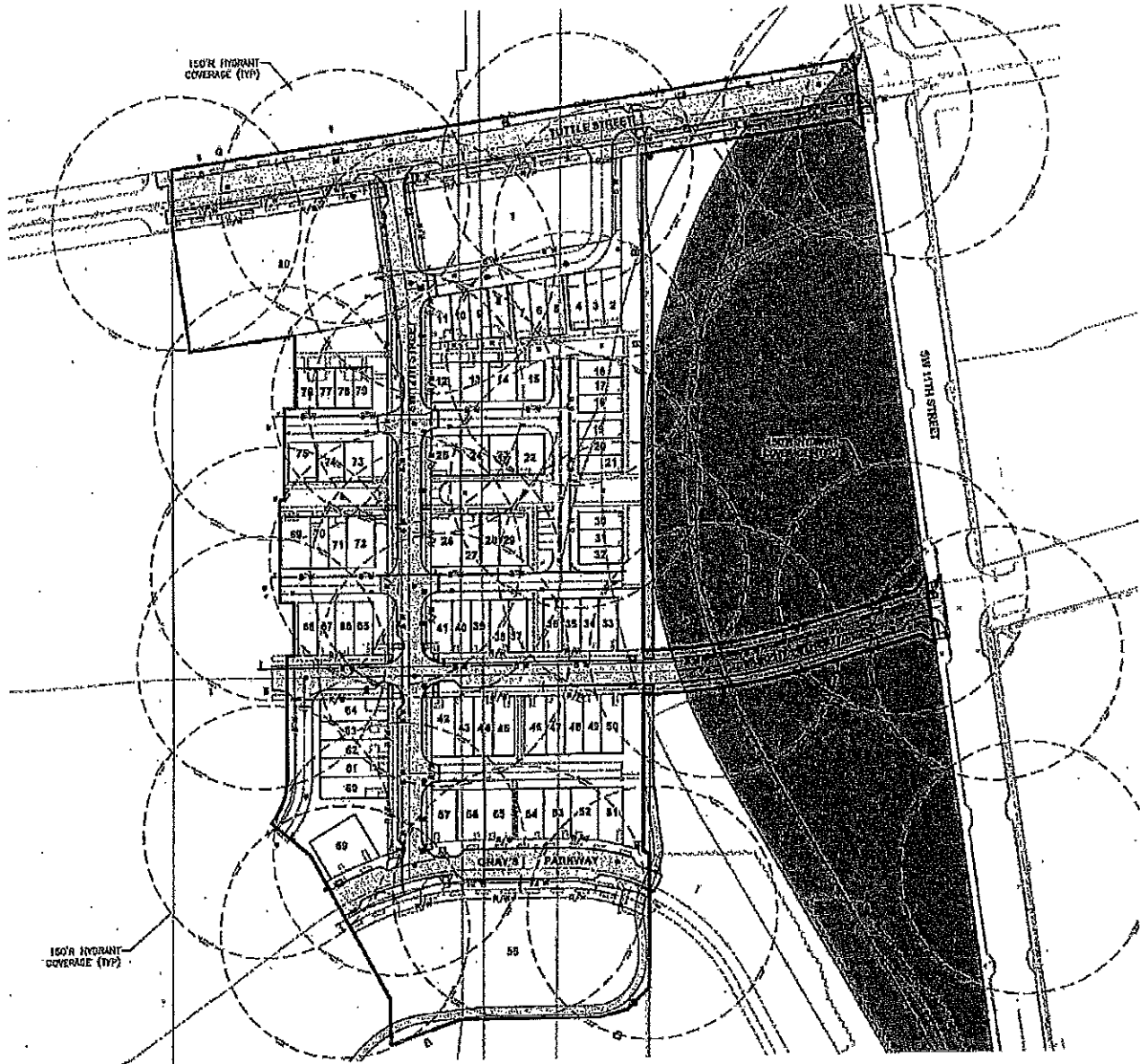


CIVIL DESIGN ADVANTAGE

3405 CROSSROADS DRIVE, SUITE G,
GRIMES, IOWA 50111
PH: (515) 369-4400 Fax: (515) 369-4410

1801.002

12-I c

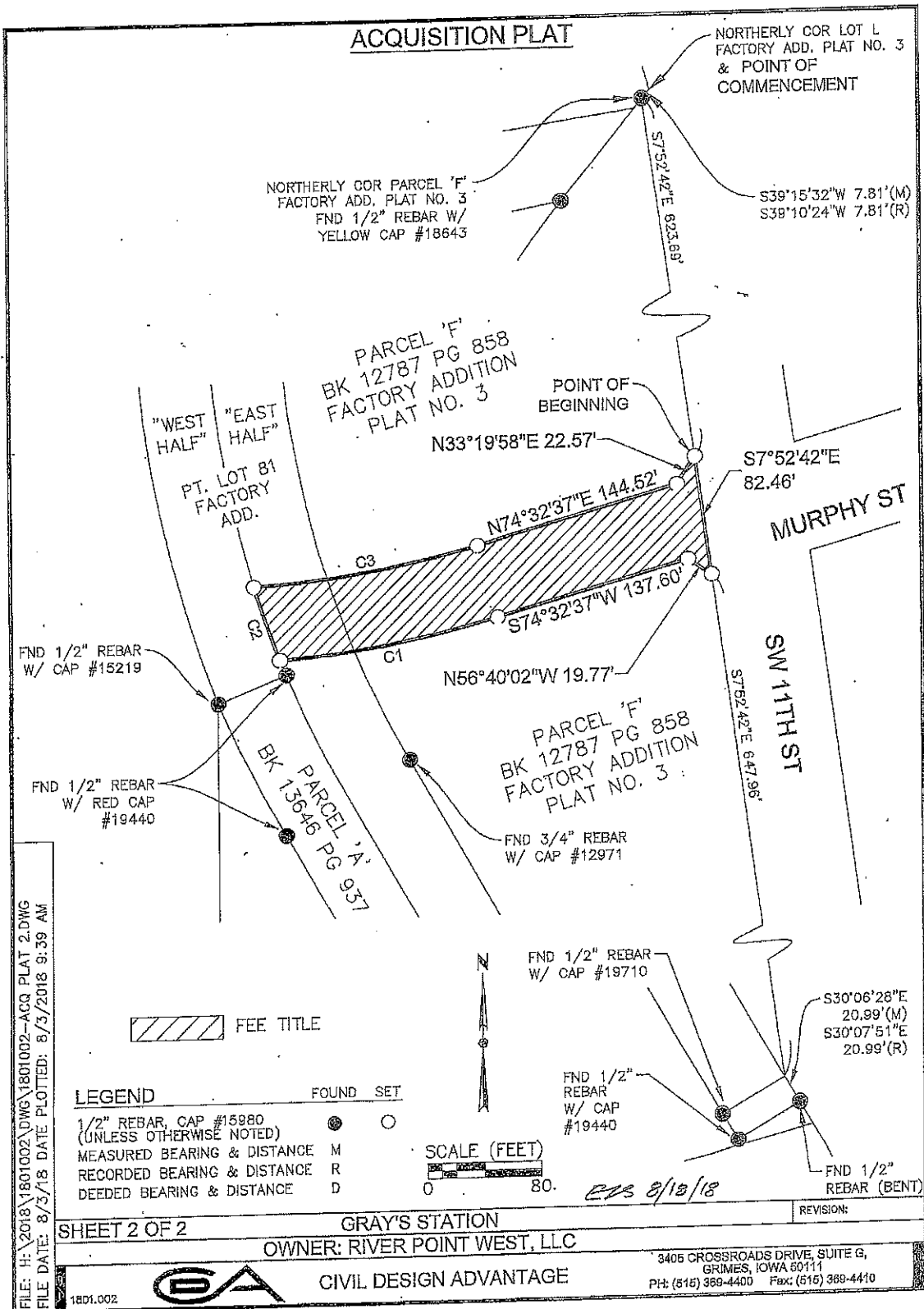


GRAY'S STATION PRELIMINARY PLAT 2

- PAVING IMPROVEMENTS - 06-2019-107**
- SANITARY SEWER IMPROVEMENTS - 07-2019-108**
- STORM SEWER IMPROVEMENTS - 08-2019-107**

Item
12-I (C)

EXHIBIT "D-1"
Survey of Murphy Street Right-of-Way



FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 2.DWG
FILE DATE: 8/3/18 DATE PLOTTED: 8/3/2018 9:39 AM

1801.002

INDEX LEGEND

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, PT. LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE 201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

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0.38 ACRES (16,525 S.F.)

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PT 020/01041-004-011
PT 020/01091-005-005

DATE OF SURVEY

FEBRUARY, 2018
REVISED
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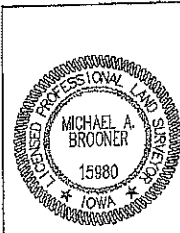
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ETS 8/8/18

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SHEETS 1-2

SHEET 1 OF 2

GRAY'S STATION

OWNER: RIVER POINT WEST, LLC

REVISION:

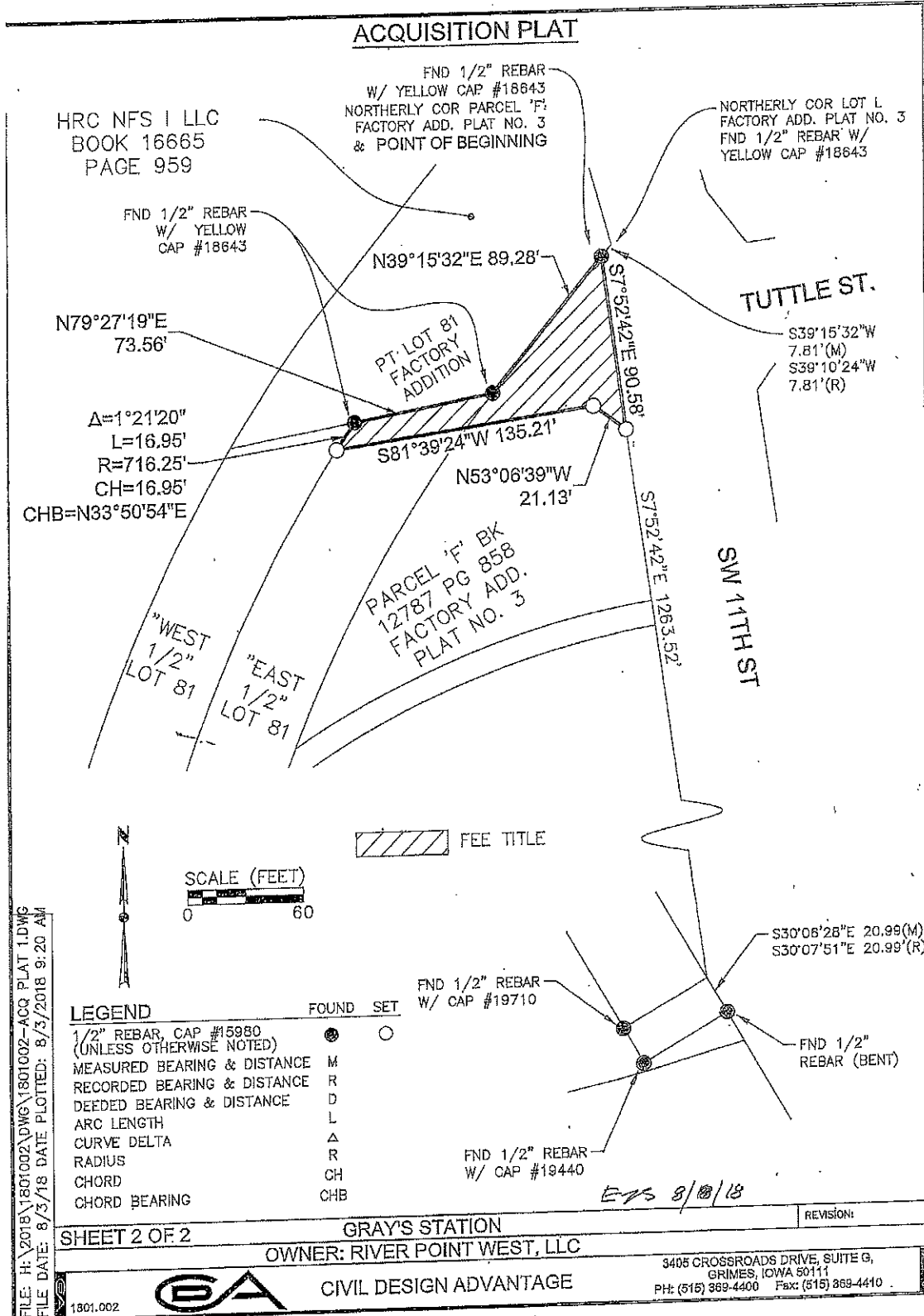


CIVIL DESIGN ADVANTAGE

3405 CROSSROADS DRIVE, SUITE G,
GRIMES, IOWA 50111
PH: (515) 369-4400 Fax: (515) 369-4410

1801.002

EXHIBIT "D-2"
Survey of Tuttle Street Right-of-way



NDEX LEGEND

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE 201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G GRIMES, IOWA 50111 PH: 515-369-4400

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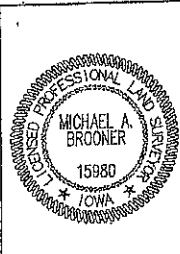
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SHEET 1 OF 2

GRAY'S STATION
OWNER: RIVER POINT WEST, LLC

REVISION:



CIVIL DESIGN ADVANTAGE

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