



Roll Call Number

Agenda Item Number

14

Date January 28, 2019

RESOLUTION APPROVING DOCUMENTS FOR CONVEYANCE OF A TEMPORARY EASEMENT FOR CONSTRUCTION AND CONSTRUCTION-RELATED ACTIVITIES TO THE CITY OF WEST DES MOINES, IOWA FOR THE 62ND STREET AND RAILROAD AVENUE GATE STRUCTURE REPLACEMENT PROJECT

WHEREAS, the 62nd Street and Railroad Avenue Gate Structure Replacement Project is a public improvement project undertaken by the City of West Des Moines (hereinafter "Project"), the construction of which is scheduled to commence in the spring of 2019; and

WHEREAS, the sanitary sewer gate structure to be replaced is located on City of Des Moines property at 62nd Street and Railroad Avenue (hereinafter "Property"), and adjacent to the City of Des Moines Levee Trail (hereinafter "Trail"); and

WHEREAS, the City of West Des Moines (hereinafter "WDM") has requested a temporary easement for construction and construction related activities that will allow WDM, its agents, contractors and employees, and other permitted parties temporary access to the Property in order to perform the Project; and

WHEREAS, the City of Des Moines and WDM agree that it is of mutual benefit to the citizens of each community that the Trail be detoured during the construction of the Project; and

WHEREAS, the City of Des Moines agrees to allow WDM to temporarily close those portions of the Trail used for the construction of the Project and detour the Trail along North Valley Drive, SW 59th Street, Tonka Avenue, and SW 62nd Street from a date that is mutually agreeable to all the parties through March 31, 2019; and

WHEREAS, City staff and WDM staff have negotiated a Temporary Easement for Construction and Construction Related Activities which includes a detour of the City of Des Moines Levee Trail from North Valley Drive to Southwest 62nd Street, a copy of which is on file with the City of Des Moines City Clerk's Office.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa that the above described Temporary Easement for Construction and Construction Related Activities, a copy of which is on file in the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to sign said Temporary Easement on behalf of the City and the City Clerk is hereby directed to attest to said signature.

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MOVED by _____ to adopt.

FORM APPROVED:

Elsa A. Wieland
Elsa 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