



Date June 12, 2023

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION

WHEREAS, the City of Des Moines has received an Application for Voluntary Annexation from Shree Hari Inc, represented by Robert Douglas, seeking the voluntary annexation by the City of Des Moines of land located north of and adjoining 4845 Merle Hay Road, generally shown on Exhibit "A" and more specifically described in the accompanying Application for Voluntary Annexation.

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

1. The proposed annexation by the City of Des Moines of the territory shown by the map attached hereto as Exhibit "A", and as more specifically described in the Accompanying Application for Voluntary Annexation from Shree Hari Inc., shall be considered by the City Council at a public hearing to be held on July 17, 2023, at 5:00 p.m., in the Council Chambers, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the form attached hereto, by publication in the Des Moines Register on or before June 28, 2023.
3. The Legal Department is hereby authorized and directed to cause notice of the hearing to be mailed to all interested parties at least 14 business days prior to the hearing as required by Iowa Code §368.7.
4. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the county board of supervisors and the township trustees. The consultation meeting shall be held at a time and location to be determined by the City Manager.



Roll Call Number

Agenda Item Number

29

Date June 12, 2023

MOVED by _____ to adopt. Second by _____.

Approved as to Form:

/s/ Lisa A. Wieland

Lisa A. Wieland, Assistant City Attorney

Attachments:

Exhibit "A" - Map

Exhibit "B" - Application for Voluntary Annexation

Notice of Hearing

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

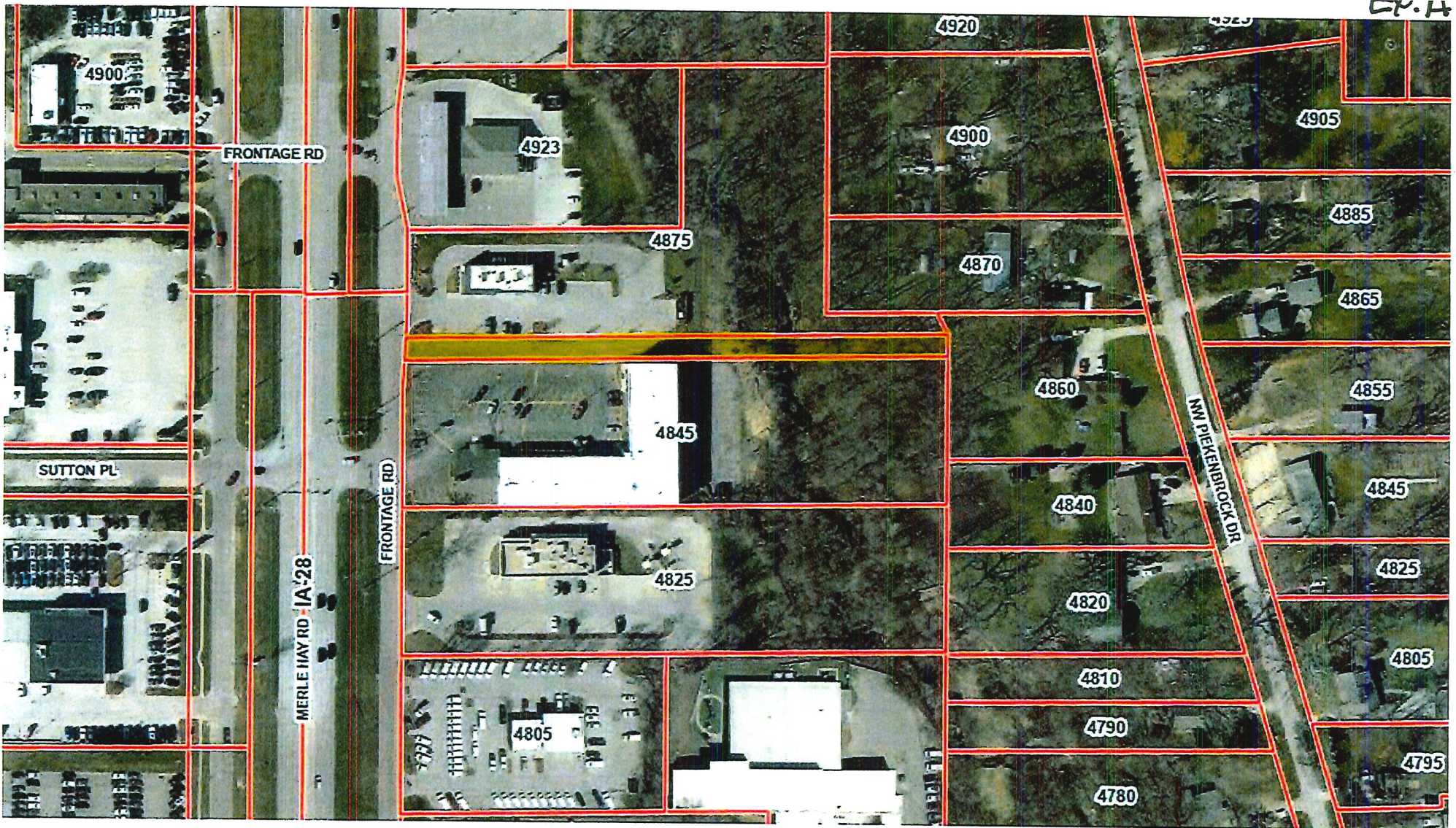
CERTIFICATE

I, LAURA BAUMGARTNER, 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

EX. H



EX. A

Application for Voluntary Annexation
MONARCH APARTMENTS – 4845 MERLE HAY ROAD

To: City Council
City of Des Moines, Iowa
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Re: Voluntary annexation of the following lots and tracts in Webster Township, Polk County, hereinafter collectively referred to as the "Territory":

Tract No. 1.

District/Parcel No.: 310/00534-003-003

Legal: The South 25 feet of Lot "B", except the West 10 feet thereof, and except that part of said Lot "B" east of a line being the east line of Lot 4 extended northerly, and except that part described in Warranty Deed to Polk County, Iowa, recorded in Book 4077 Page 159 and that part described in Quit Claim Deed to State of Iowa recorded in Book 4077 Page 161, in PIEKENBROCK, an Official Plat, in Polk County, Iowa.

Shree Hari Inc. (hereinafter collectively referred to as the "Applicants"), hereby make application to the City of Des Moines, Iowa, to annex the Territory described above which is generally shown on the map attached hereto as Exhibit "A". In support of this application the Applicants represent and state as follows:

1. The Applicants are the sole owners of the Territory described above, exclusive of road right-of-way, and seek to have the Territory annexed into the City of Des Moines to permit the Territory to be developed for commercial and residential uses at urban densities with city services.
2. This application is subject to the City of Des Moines agreeing that the City shall not forward the application to the City Development Board or otherwise cause the annexation to become final and effective, until after the third business day after the application has been approved by the Des Moines City Council, and that the Applicant may withdraw this application at any time within the three business days after the application has been approved by the City Council, if the Applicant is not satisfied with the conditions upon which the City proposes to annex the Territory.
3. Solid waste collection service (garbage pickup) is currently provided to the Territory by Private Collectors. Public water service is currently provided to the Territory by Des Moines Water Works.
4. The applicants acknowledge that a portion of the Territory may need to be removed from the territory proposed to be annexed to avoid the creation of an island of land surrounded by the City of Des Moines.

Shree Hari Inc.

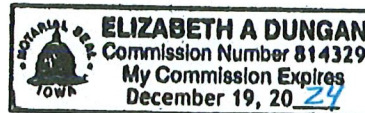
Robert Douglas

Date: 12-14, 2022

STATE OF Iowa)
) ss.
COUNTY OF Polk)

This instrument was acknowledged before me on December 14, 2022, by Robert Douglas as registered agent/ of Shree Hari Inc.
authorized officer

Elizabeth A. Dungan
Notary Public in and for the State of Iowa





June 12, 2023

RE: NOTICE OF PUBLIC HEARING

Application for Voluntary Annexation of land into the City of Des Moines, Iowa,

The City of Des Moines has received the enclosed Application for Voluntary Annexation of land filed by Shree Hari Inc., seeking to have the City of Des Moines the following parcel in Polk County located north of and adjoining 4845 Merle Hay Road, more specifically described as follows:

Tract No. 1

District/Parcel No. 310/00534-003-003

The South 25 feet of Lot "B", except the West 10 feet thereof, and except that part of said Lot "B" east of a line being the east line of Lot 4 extended northerly, and except that part described in Warranty Deed to Polk County, Iowa, recorded in Book 4077 Page 159 and that part described in Quit Claim Deed to State of Iowa recorded in Book 4077 Page 161, in PIEKENBROCK, an Official Plat, in Polk County, Iowa.

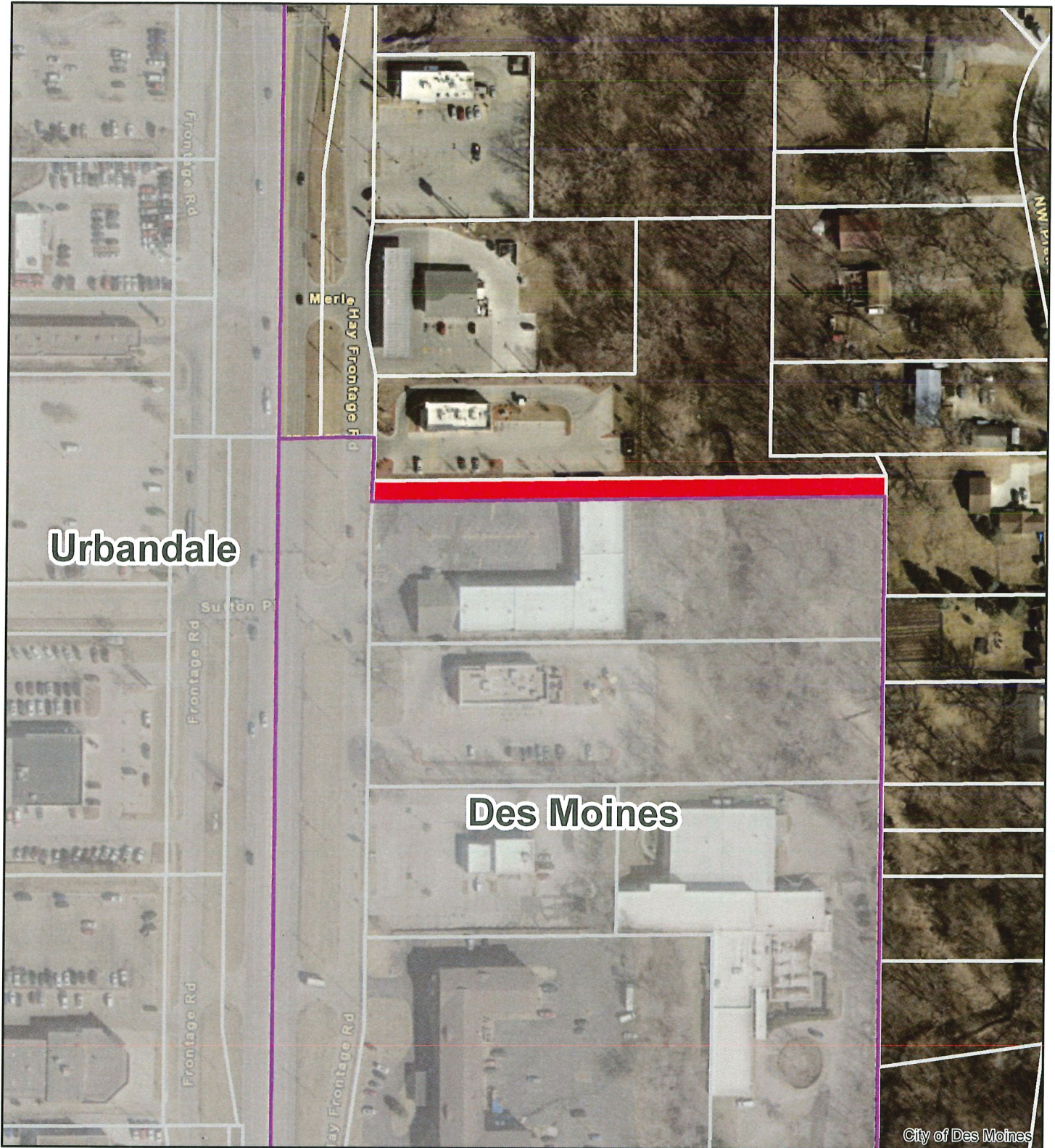
Public notice is hereby given that the City Council of the City of Des Moines will hold a public hearing to consider the proposed annexation at 5:00 p.m. on July 17, 2023, in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. Persons interested in the proposal will be given an opportunity to express their views at that hearing. Any written comments received by the City Clerk at the address above before 4:30 p.m. on the date of the hearing will be forwarded to the City Council for their consideration at the hearing.

Additional information concerning the proposed annexation and the planned use of the property if it is annexed into the City of Des Moines may be obtained by contacting the City of Des Moines Development Services Department at 515/283-4182.

Respectfully,

Lisa A. Wieland
Assistant City Attorney

enc: Application for Voluntary Annexation



Legend

-  Corporate Boundaries
-  Parcels
-  Parcel 31000534003003



Date: 1/11/2023

0 0.025 0.05 Miles

Disclaimer: This map is approximate and may not be complete. City assumes no liability for accuracy. Consult sources listed to verify information.
Sources: City of Des Moines Community Development, Engineering, Parks, and IT, Polk County Assessor