

★ Roll Call Number

08026

Agenda Item Number

11

Date January 7, 2008

RESOLUTION TO APPROVE AND ACCEPT WARRANTY DEED FOR PUBLIC RIGHT-OF-WAY (Dedication incident to approval of Plat of Survey)

WHEREAS, Robert B. and Beverly Ann Merkle have requested City approval of a Plat of Survey of land in the vicinity of 5219 NE 38th Avenue, pursuant to § 106-196 of the Des Moines Municipal Code; and

WHEREAS, as a condition to the approval of the Plat of Survey, the City Engineer has required that the owner provide the accompanying Warranty Deed conveying property to the City of Des Moines for dedication as street right-of-way upon and across a portion of Parcels D and E in Section 27, Township 79 North, Range 23 West of the 5th P.M., an Official Plat; and

WHEREAS, the City Legal Department has reviewed the updated abstract for the property and has confirmed that the Warranty Deed is signed by all owners and lien holders of the property.

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

- 1. The Warranty Deed signed by Robert B. and Beverly Ann Merkle on December 27, 2007, is hereby approved and accepted.
2. The City Clerk is hereby authorized and directed to endorse upon the Warranty Deed the approval and acceptance of this Council and is further authorized to deliver the Deed to the Real Estate Division Manager, who shall cause the Deed to be properly recorded.

Moved by Vlassis to adopt.

APPROVED AS TO FORM:

Roger K. Brown
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL (7 yeas).

MOTION CARRIED APPROVED
T. M. Franklin Council 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.

Diane Rauh City Clerk