

★ Roll Call Number

08028

Agenda Item Number

13

Date January 7, 2008

Developer's Easements – Deer Ridge V Limited Partnership: Page 1

**ACCEPTANCE OF EASEMENTS FOR PRIVATE DEVELOPMENT OF A  
MULTIPLE FAMILY RESIDENTIAL PROJECT AT 6000 CRESTON AVENUE  
FROM DEER RIDGE V LIMITED PARTNERSHIP**

**WHEREAS**, Deer Ridge V Limited Partnership (the “Developer”) seeks approval of a site plan for a multiple family residential development at 6000 Creston Avenue; and,

**WHEREAS**, the site plan has been conditionally approved, subject to the dedication of the easements identified below for stormwater management, a future recreational trail, and public use of the private streets; and,

**WHEREAS**, the following easements have been recommended for approval and acceptance by the Real Estate Division of the Engineering Department; **NOW THEREFORE**,

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

1. The following easements provided by the Developer and dedicated to the City of Des Moines in consideration for the City’s approval of the site plan for the multiple-family residential development at 6300 Creston Avenue, are hereby approved and accepted:
  - Permanent Easement for Surface Water Flowage
  - Permanent Easement for Public Use of a Private Street
  - Permanent Easement for Recreational Trail
2. That the City Clerk is hereby authorized and directed to endorse upon the Easement the approval and acceptance of this Council and is further authorized and directed to deliver the said Easement to the Real Estate Division Manager for recording.
3. The Finance Director is authorized and directed to issue checks in the amounts necessary to record the easements and to pay any unforeseen and additional costs certified by the Legal Department and the Engineering Department. The Real Estate Division Manager is authorized and directed to obtain the checks, if any, needed to record these easements, and deliver them to the payees.
4. The Engineering Department shall seek reimbursement from the Developer for the expenses and recording costs in accordance with standard real estate practices.

( continued )

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MOVED by Vlassis to adopt.

APPROVED AS TO FORM:

*Roger K. Brown*

Roger K. Brown,  
Assistant City Attorney

RSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

*T. M. Franklin*  
Mayor

*Diane Rauh*  
City Clerk