

★ Roll Call Number

08-285

Agenda Item Number

7A

Date February 25, 2008

RESOLUTION APPROVING PETITION AND WAIVER

WHEREAS, the Council discussed the matter of constructing improvements, generally described as Carpenter Avenue Reconstruction from 30th Street to 31st Street, Activity ID 06-2008-014, Schedule No. 2008-04, described as street reconstruction twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt eight (8) inches thick with Portland Cement Concrete curb and gutter, pavement removal, 6' sidewalk, traffic signals, surface restoration and other incidental items, together with the necessary drainage facilities on Carpenter Avenue from 30th Street to 31st Street.

WHEREAS, a petition and waiver, duly executed by owners of property (Drake University) to be assessed for the proposed public improvements, was officially filed with the Clerk of said City.

WHEREAS, a Petition and Waiver has been duly executed by the owner of property agreeing thereby to be assessed for the cost as shown on the Assessment Schedule for Carpenter Avenue Reconstruction from 30th Street to 31st Street, Activity ID 06-2008-014, Schedule No. 2008-04, the same being attached hereto; and

WHEREAS, upon investigation it is found that the holders of all liens and encumbrances against said benefited property to be assessed pursuant to said Petition and Waiver have executed and agreed to and have subordinated their liens to the provisions of same; and

WHEREAS, the following action is deemed appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the aforesaid Petition and Waiver attached hereto be and the same is hereby approved and accepted for and on behalf on this City.

(Council Communication No. 08-089)

Moved by Hensley to adopt.

EB

FORM APPROVED: Kathleen Vanderpool Deputy City Attorney

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

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk