

★ Roll Call Number

08.376

Agenda Item Number

17

Date March 10, 2008

Developer's Easements – Hooper Family, LLC: Page 1

**ACCEPTANCE OF REAL ESTATE DOCUMENTS FOR SHARED PRIVATE  
SANITARY SEWER LINE MAINTENANCE COVENANT AND PERMANENT  
EASEMENT AGREEMENT FOR PROPERTIES LOCATED AT 1450 AND 1500  
DELAWARE AVENUE FROM HOOPER FAMILY, L.L.C.**

**WHEREAS**, Hooper Family, L.L.C. (the “Developer”) seeks approval of a site plan at 1450 and 1500 Delaware Avenue; and,

**WHEREAS**, the site plan has been conditionally approved, subject to the dedication of the Shared Private Sanitary Sewer Line Maintenance Covenant and Permanent Easement Agreement identified below; and,

**WHEREAS**, the following real estate document 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 real estate document provided by the Developer and dedicated to the City of Des Moines in consideration for the City’s approval of the site plan at 1450 and 1500 Delaware Avenue, is hereby approved and accepted:

Shared Private Sanitary Sewer Line Maintenance Covenant and Permanent Easement Agreement

2. That the City Clerk is hereby authorized and directed to endorse upon the real estate document the approval and acceptance of this Council and is further authorized and directed to deliver the said real estate document 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 real estate document 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 the real estate document, and deliver to the payees.

★ Roll Call Number

08-376

Agenda Item Number

17

Developer's Easements – Hooper Family, LLC: Page 2

Date March 10, 2008

MOVED by Hensley to adopt.

APPROVED AS TO FORM:

Roger K. Brown

Roger K. Brown, Assistant City Attorney

RSN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLAŠIS	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

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 Cooney Mayor

Diane Rauh City Clerk