

★ Roll Call Number

08-936

Agenda Item Number

64A

Date May 19, 2008

**RESOLUTION TO APPROVE AND ACCEPT REAL ESTATE DOCUMENTS
FOR THE EXTENSION OF SW 11th STREET AND MURPHY STREET**

WHEREAS, on this date by a prior resolution the City Council has approved a Supplemental Development Agreement with River Point West LLC, Hubbell Realty Company, and Hubbell Terminal Corporation regarding the design, financing and construction of the improvement and extension of SW 11th Street from SW Martin Luther King Jr. Parkway to Dart Way, and the improvement and extension of Murphy Street from SW 9th Street to the extension of SW 11th Street; and,

WHEREAS, Hubbell Realty Company and Hubbell Terminal Corporation have offered to dedicate the right-of-way needed for the extension of SW 11th Street from Tuttle Street to Dart Way, and for the extension of Murphy Street from SW 9th Street to the extension of SW 11th Street, as set forth in the Acquisition Plats attached hereto as Exhibits "A", "B" and "C", and with such dedications to occur at the times and subject to the conditions set forth in the Supplemental Development Agreement; NOW THEREFORE,

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

1. The Acquisition Plats attached hereto as Exhibits "A", "B" and "C" identifying the right-of-way to be dedicated by Hubbell Realty Company and Hubbell Terminal Corporation for the extension of SW 11th Street from Tuttle Street to Dart Way, and for the extension of Murphy Street from SW 9th Street to the extension of SW 11th Street, are hereby approved.
2. The dedication of such right-of-way is hereby approved and accepted.
3. Upon receipt of the Warranty Deeds and any title clearing documents for the dedication of such right-of-way, and approval of the same by the City Legal Department, the City Clerk is hereby authorized and directed to endorse upon such deeds the approval and acceptance of this Council and is further authorized to deliver the deeds to the Real Estate Division Manager, who shall cause the deeds to be properly recorded.

(continued)

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MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
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.

MOTION CARRIED APPROVED
T. M. Franklin Cooney Mayor

Diane Rauh City Clerk