

★ Roll Call Number

08-1316

Agenda Item Number

22

Date July 28, 2008

E. 14th Widening Jurisdictional Transfer to IDOT

SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY PURCHASED FOR THE EAST 14TH STREET WIDENING PROJECT TO THE STATE OF IOWA FOR THE BENEFIT AND USE OF THE IOWA DEPARTMENT OF TRANSPORTATION (IDOT)

WHEREAS, on September 12, 2005, by Roll Call No. 05-2167, the City Council approved and authorized the execution of an Iowa Department of Transportation ("IDOT") pre-design agreement for E. 14th Street (U.S. 69) from E. University Avenue to E. Aurora Avenue Project, now known as the East 14th Street Widening – Arthur Avenue to East Tiffin Project ("the Project"); and

WHEREAS, on August 6, 2007, by Roll Call No. 07-1484, the City Council approved and authorized the execution of an IDOT pre-construction agreement for the Project; and

WHEREAS, in order to effectuate the IDOT agreements and proceed with the Project, it is necessary for the City of Des Moines to transfer public road jurisdiction and convey certain right-of-way acquired by the City for the Project, as described below, to the State of Iowa, by and for the benefit of the IDOT, by Quit Claim Deed in accordance with Section 306.42 of the Iowa Code.

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

1. The City of Des Moines, Iowa proposes to transfer public road jurisdiction and convey property located at 2914 East 14th Street to the State of Iowa, for the benefit and use of the Iowa Department of Transportation, as required for the East 14th Widening – Arthur Avenue to East Tiffin Avenue Project, said right-of-way being legally described as follows:

LOT 1 & 2, BLOCK 1, GRAND VIEW, AN OFFICIAL PLAT. AS SURVEYED AND MONUMENTED IN FIELD BY ELMER L. MILLER, JR. LICENSED SURVEYOR NO. 13975. ALL NOW INCLUDED IN, AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, BY SURVEY 13,186 SQUARE FEET

2. A public hearing shall be held on August 11, 2008 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above described proposal and any other(s) submitted prior to or during the public hearing.

3. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached not less than four or more than twenty days from the date of hearing.

DESCRIPTION REVIEWED
7/28/08
12:10

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E. 14th Widening - Parcel 011 (Farley) Jurisdictional Transfer to IDOT

Moved by Kiernan to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

BSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
KIERNAN	✓			
HENSLEY	✓			
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