



Roll Call Number

09-186

Agenda Item Number

22

Date

February 9, 2009

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION  
(H. Dwayne Crozier property at 4880 NE 23rd Avenue)

WHEREAS, the City of Des Moines has received the accompanying Application for Voluntary Annexation from H. Dwayne Crozier, seeking the voluntary annexation by the City of Des Moines of a parcel of land he owns in the vicinity of 4880 NE 23rd Avenue (also known as Easton Boulevard), generally shown on Exhibit "A" and more specifically described below; NOW THEREFORE,

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

1. The proposed annexation by the City of Des Moines of the territory shown by the map attached hereto as Exhibit "A", and as more specifically described as follows, shall be considered by the City Council at a public hearing to be held on April 6, 2009, at 5:00 p.m., in the Council Chambers, at which time the City Council will hear both those who oppose and those who favor the proposal.

Being a part of Tract A, of Lot 1 of the Plat of the Stephen Harvey Estate as recorded in Book 5735 Page 753 in the Recorders Office of Polk County, Iowa, more specifically described as follows:

Commencing at the Southwest corner of said Lot 1; thence North 00° (degrees) 21' (minutes) 43" (seconds) East (on an assumed bearing of the West line of said Lot 1), 1079.58 feet on the West line of said Lot 1 to the Point-of-Beginning; thence North 00° 21' 43" East, 346.00 feet along the West line of said Lot 1; thence North 90° 00' 00" East, 326.27 feet to the Northwest Corner of Tract "B" of said Lot 1 as recorded in Book 5735 Page 753 in the Recorders Office of Polk County; thence South 00° 06' 22" West along the West line of said Tract "B", 345.69 feet; thence North 89° 56' 50" West, 327.82 feet to the Point-of-Beginning, as surveyed in the field by Murray B. Berting, Licensed Land Surveyor No. 13148, and containing 113,104.87 square feet or 2.597 acres, more or less.

2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the form attached hereto, by publication in the Des Moines Register on March 13, 2009.
3. The Legal Department is hereby authorized and directed to cause notice of the hearing to be mailed to all interested parties at least 14 business days prior to the hearing as required by Iowa Code §368.7.

( continued )

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- 4. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the county board of supervisors and the township trustees. The consultation meeting shall be held at a time and location to be determined by the City Manager.

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K Brown  
 Roger K. Brown  
 Assistant City Attorney  
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Attachments:

- Exhibit "1" – Application for Voluntary Annexation
- Exhibit "A" – Map of the Territory
- Exhibit "B" – Legal Description of the Territory
- Notice of Hearing

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.

MOTION CARRIED APPROVED  
T. M. Franklin  
 Mayor

Diane Rauh City Clerk