

★ Roll Call Number

Agenda Item Number

11-0677

26

Date April 25, 2011

Dispositions – Des Moines Water Works

**SET HEARING FOR THE CONVEYANCE OF A PERMANENT WATER MAIN
EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT
4315 S.E. 14th STREET TO DES MOINES WATER WORKS FOR \$1.00**

WHEREAS, the Des Moines Water Works (“DMWW”) owns and operates an existing water main under S.E. 14th Street in Des Moines to provide water service to the public; and

WHEREAS, DMWW is in the process of making repairs to said water main and has requested a Permanent Easement for Water Main Right-of-way for realignment of this water main and water line across City-owned property located at 4315 SE 14th.

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

1. The City Council of the City of Des Moines proposes to establish and grant a permanent water main easement across the following described City-owned property located at 4315 S.E. 14th Street to the City of Des Moines, Iowa, for the use and benefit of Board of Water Works Trustees of the City of Des Moines, a governmental body, for a public purpose as authorized by Iowa Code Section 364.7(3):

THE EASTERLY 20.00 FEET OF THE WESTERLY 65.00 FEET OF THE FOLLOWING DESCRIBED PARCEL IN WARRANTY DEED RECORDED IN BOOK 13555, PAGES 433-436 IN THE OFFICE OF POLK COUNTY RECORDER:

THE SOUTH 195 FEET OF THE SOUTH ½ OF THE SW ¼ OF THE NW ¼ OF THE SW ¼ EXCEPT THE SOUTH 10 FEET THEREOF, SECTION 23, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

2. A public hearing shall be held on May 9, 2011, 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 hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
4. There will be no proceeds associated with the conveyance of this easement.

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Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIES	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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.

Diane Rauh

City Clerk

7. M. Franklin Council Mayor