

★ **Roll Call Number**  
..... 12-0454 .....

**Agenda Item Number**  
..... 18 .....

**Date** ..... March 26, 2012 .....

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY NORTH OF  
3000 VANDALIA ROAD TO THE DES MOINES METROPOLITAN  
WASTEWATER RECLAMATION AUTHORITY (WRA)**

**WHEREAS**, on November 18, 1985, by Roll Call No. 6033, the City Council approved fair market value and authorized acquisition of property at SE 30<sup>th</sup> Street and Vandalia Road, north of 3000 Vandalia Road, for the Des Moines ICA Regional Wastewater Treatment Plant Project, which property is legally described below; and

**WHEREAS**, said property has been used since its acquisition for operation of a power substation to provide electrical services to the Wastewater Reclamation Facility as managed by the Des Moines Metropolitan Wastewater Reclamation Authority (“WRA”), and is currently required by the WRA for purposes of a lease agreement for biogas facilities; and

**WHEREAS**, there is no known current or future public need for the property proposed to be conveyed and the City will not be inconvenienced by the conveyance of said property.

**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, Iowa proposes to convey the following described property at SE 30<sup>th</sup> Street and Vandalia Road, north of 3000 Vandalia Road, to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for public use in accordance with Iowa Code Section 364.7(3):

ALL THAT PORTION OF LOT 5 OF THE OFFICIAL PLAT OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRL ¼) OF SECTION 7, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> P.M. THAT LIES SOUTH OF THE SOUTH LINE OF RELOCATED VANDALIA ROAD RIGHT-OF-WAY AND NORTH OF THE NORTH LINE OF THE ABANDONED VANDALIA ROAD RIGHT-OF-WAY, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; SUBJECT TO EASEMENT DEED TO THE UNITED STATES OF AMERICA RECORDED IN BOOK 3682, PAGE 345; SUBJECT TO OTHER EASEMENTS OF RECORD; AND EXCEPT ROADS AND RAILROADS.

2. A public hearing shall be held on April 9, 2012, 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 property.

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Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and 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.

7. M. Franklin Council Mayor

Diane Rauh City Clerk