



Roll Call Number

15-1131

Agenda Item Number

16

Date July 13, 2015

RESOLUTION RELEASING EASEMENT FOR SURFACE WATER
FLOWAGE AT 2401 GANNETT AVENUE AND 7000 SW 22nd STREET

WHEREAS, the properties at 2401 Gannett Avenue and 7000 SW 22nd Street are subject to an *Easement for Surface Water Flowage*, more specifically described below, which was dedicated incident to the platting of Airport Commerce Park Plat 1; and,

WHEREAS, the properties at 2401 Gannett Avenue and 7000 SW 22nd Street were later replatted as Lots 17 and 18, respectively, in Airport Commerce Park South, at which time the surface water flowage was redirected and a new *Storm Sewer and Surface Water Easement* was dedicated to replace the *Easement for Surface Water Flowage*; and,

WHEREAS, the *Easement for Surface Water Flowage* is obstructing the planned expansion of the Eurofins facility at 2200 Rittenhouse Street, and the City staff have confirmed that the easement is no longer needed for any public purpose.

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

1. The City Council hereby finds that there is no public need for the *Easement for Surface Water Flowage* more specifically described below, and the public would not be inconvenienced by reason of the abandonment and release of the easement.
2. The *Easement for Surface Water Flowage*, recorded on January 29, 1996, in Book 7334, at Page 152, for the easement area described below, is hereby abandoned and released.

Easement Area (i), in Airport Commerce Park Plat 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Legal Department for forwarding to and recording by Airport Commerce Park, LC, at its expense.

(continued)



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MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
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