

## PROPOSED RESOLUTION OF NECESSITY, NOTICE TO PROPERTY OWNERS OF HEARING, AND SETTING DATE OF HEARING AS NOVEMBER 9, 2015

WHEREAS, preliminary plans and specifications, plat and schedule, and estimate of cost are now on file in the office of the City Clerk showing the boundaries of each individual sanitary sewer improvement district, containing the properties and lots to be assessed, locations of each individual improvement, each lot proposed to be assessed together with a valuation of each lot as fixed by this Council, an estimate of the cost of each proposed paving improvements stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of paving improvements, as hereinafter described, in Des Moines, Iowa.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES, IOWA: That it is deemed desirable, advisable and necessary to construct as a single improvement paving improvements described as:

• E. 32nd Street paving from Kinsey Avenue to E. Washington Avenue, Activity ID 06-2015-010, Schedule No. 2015-01, described as:

Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt seven and one-quarter (7-1/4) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities.

• Shawnee Avenue from 15th Street to 14th Street, Activity ID 06-2016-010, Schedule No. 2015-02, described as:

Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt seven and one-quarter (7-1/4) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities.

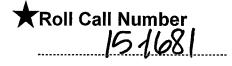
Each district containing the properties to be assessed set out and described in the following "Notice to Property Owners", set out in this Resolution.

Said improvements within each said district are located and described in the following "Notice to Property Owners", set out in this Resolution.

The method of construction shall be by contract and multiple contracts may be awarded in the discretion of the Council.

Costs of said improvements will be assessed to the properties within the boundaries of each individual district. No property shall be assessed more than it is benefited by the improvements nor more than 25%

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of its value on the date of its assessment. Said assessments do include one deficit, as authorized by Section 384.44, Code of Iowa.

A plat and schedule and estimate of costs are now on file in the office of the City Clerk as required by law for each individual sanitary sewer improvement.

Any difference between the amount which is derived from cash payments made by property owners during the thirty day collection period and the sale of Improvement Bonds issued against assessments on benefited properties and the total cost of the improvements, shall be paid for from the proceeds derived from the issuance and sale of bonds as authorized by Section 384, Code of Iowa, and/or from such other funds of said Municipality as may be legally used for such purpose.

BE IT FURTHER RESOLVED, that this Council meets at 5:00 P.M. on November 9, 2015, in the Council Chambers in the City Hall, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of each said district. Unless a property owner files objections with the City Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure.

BE IT FURTHER RESOLVED, that the City Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this resolution and of the time and place of hearing objections thereto, and to the said preliminary plans and specifications, estimate of costs, and to the making of said improvements; said Notice to be in substantially the following form:

all Number 151681

## NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the office of the Clerk of the City of Des Moines, Iowa, a proposed Resolution of Necessity, an estimate of costs, and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within each individual district as approved by the City Council of Des Moines, Iowa, for sanitary sewer improvements described as:

• E. 32nd Street paving from Kinsey Avenue to E. Washington Avenue, Activity ID 06-2015-010, Schedule No. 2015-01, described as:

Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt seven and one-quarter (7-1/4) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities.

• Shawnee Avenue from 15th Street to 14th Street, Activity ID 06-2016-010, Schedule No. 2015-02, described as:

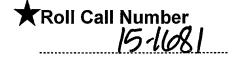
Street paving twenty-six (26) feet wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt seven and one-quarter (7-1/4) inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities.

That each district to be benefited and subject to assessment for the cost of improvement is described as follows:

• E. 32nd Street paving from Kinsey Avenue to E. Washington Avenue, Activity ID 06-2015-010, Schedule No. 2015-01

3225 E WASHINGTON AVE BEING LOTS 13 & 14 BLK 1 OUT-LOOK PARK 3217 E WASHINGTON AVE BEING LOTS 15, 16 & 17 BLK 1 OUT-LOOK PARK 1551 E 32ND ST BEING LOT 18 & N 10 FT LOT 19 BLK 1 OUT-LOOK PARK 1539 E 32ND ST BEING S 37 FT LOT 19 & ALL LOT 20 BLK 1 OUT-LOOK PARK 3200 KINSEY AVE BEING W 49.16F LTS 21, 22 & 23 BLK 1 OUT-LOOK PARK 3204 KINSEY AVE BEING W 48F E 96F LTS 21, 22 & 23 BLK 1 OUT-LOOK PARK 3208 KINSEY AVE BEING E 48F LTS 21, 22, & 23 BLK 1 OUT-LOOK PARK 3210 KINSEY AVE BEING LOT 24 BLK 1 OUT-LOOK PARK 3214 KINSEY AVE BEING LOT 25 BLK 1 OUT-LOOK PARK 3218 KINSEY AVE BEING LOT 26 BLK 1 OUT-LOOK PARK 3222 KINSEY AVE BEING LOT 27 BLK 1 OUT-LOOK PARK 324 E 32ND ST BEING LOT 27 BLK 1 OUT-LOOK PARK 325 KINSEY AVE BEING LOT 26 BLK 1 OUT-LOOK PARK 326 KINSEY AVE BEING LOT 27 BLK 1 OUT-LOOK PARK 327 KINSEY AVE BEING LOT 27 BLK 1 OUT-LOOK PARK 326 KINSEY AVE BEING LOT 27 BLK 1 OUT-LOOK PARK

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3130 KINSEY AVE BEING E 50F LTS 3, 30, 31, & 32 BLK 2 OUT-LOOK PARK 3117 E WASHINGTON AVE BEING W 8F LTS 1 & 2 & ALL LT 4 BLK 2 OUT LOOK PARK 3113 E WASHINGTON AVE BEING LOT 5 BLK 2 OUT-LOOK PARK 3109 E WASHINGTON AVE BEING LOT 6 BLK 2 OUT-LOOK PARK 3108 KINSEY AVE BEING LOT 27 BLK 2 OUT-LOOK PARK 3112 KINSEY AVE BEING LOT 28 BLK 2 OUT-LOOK PARK 3116 KINSEY AVE BEING LOT 29 BLK 2 OUT-LOOK PARK 3120 KINSEY AVE BEING W 50F LOT 3 & W 50F LOTS 30, 31 & 32 BLK 2 OUT-LOOK PARK 3126 KINSEY AVE BEING E 50F W 100F LTS 30, 31 & 32 BLK 2 OUTLOOK PARK

• Shawnee Avenue from 15th Street to 14th Street, Activity ID 06-2016-010, Schedule No. 2015-02

4120 14TH ST BEING LOT 6 FLINT HILLS 4116 14TH ST BEING LOT 7 FLINT HILLS 4112 14TH ST BEING LOT 8 FLINT HILLS 4108 14TH ST BEING LOT 9 FLINT HILLS 4104 14TH ST BEING LOT 10 FLINT HILLS 4100 14 TH ST BEING LOT 11 FLINT HILLS 4101 15TH ST BEING LOT 12 FLINT HILLS 4105 15TH ST BEING LOT 13 FLINT HILLS 4109 15TH ST BEING LOT 14 FLINT HILLS 4113 15TH ST BEING LOT 15 FLINT HILLS 4117 15TH ST BEING LOT 16 FLINT HILLS 4121 15TH ST BEING LOT 17 FLINT HILLS 4040 14TH ST BEING LOT 12 NORTH MADISON PARK 4036 14TH ST BEING LOT 13 NORTH MADISON PARK 4032 14TH ST BEING LOT 14 NORTH MADISON PARK 4028 14TH ST BEING LOT 15 NORTH MADISON PARK 4024 14TH ST BEING LOT 16 NORTH MADISON PARK 4020 14TH ST BEING LOT 17 NORTH MADISON PARK 4019 15TH ST BEING LOT 27 NORTH MADISON PARK 4023 15TH ST BEING LOT 28 NORTH MADISON PARK 4027 15TH ST BEING LOT 29 NORTH MADISON PARK 4031 15TH ST BEING LOT 30 NORTH MADISON PARK 4035 15 TH ST BEING LOT 31 NORTH MADISON PARK

The Council will meet at 5:00 P.M. on November 9, 2015, at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at which time the owners of property subject to

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Roll Call	Number <u> 5-168</u>
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assessment for each proposed improvement, or any other person having an interest in the matter, may appear and be heard for or against the making of each improvement, the boundaries of each district, the cost, the assessment against any lot, tract or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing the property owner has filed objections with the City Clerk. (END OF NOTICE)

FORM APPROVED: <u>Authleen Vanderpool</u> by and Kathleen Vanderpool Deputy City Attorney

- AL.
- Funding:
  - 2015-2016 CIP, Page Street-29, Residential Paving Program, ST013, being \$25,293.78 from Special Assessments against benefited property owners and \$86,206.22 in G.O. Bonds
- 2015-2016 CIP, Page Street-29, Residential Paving Program, ST013, being \$19,393.76 from Special Assessment against benefited property owners and \$75,106.24 in G.O. Bonds

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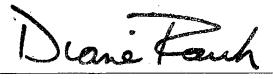
Agenda Item Number

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	~			
COLEMAN	レ			
GATTO	~			
GRAY	~			
HENSLEY	~			
MAHAFFEY	~			
MOORE	1			
TOTAL	7			
MOTION CARRIED	10		A	PPROVED
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## 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.



City Clerk