

★ Roll Call Number

15-1955

Agenda Item Number

14

Date November 23, 2015

RESOLUTION AUTHORIZING AND APPROVING RELEASE AND
ABANDONMENT OF EASEMENT FOR TEMPORARY TURN AROUND IN
CARMAN ESTATES PLAT 2 AND ACCEPTING REPLACEMENT TEMPORARY
TURN AROUND EASEMENT ON THE DEAD END SEGMENT OF E.
SOUTHLAWN DRIVE

WHEREAS, on October 6, 2003, by Roll Call No. 03-2292, the City Council approved a final plat for Carman Estates Plat 2, containing an Easement for Temporary Turn Around on the dead-end eastern terminus of E. Southlawn Drive from the St. Andrew's Group, represented by Ronald Grubb (officer); and,

WHEREAS, the current property owner, Jerry's Homes, Inc., also represented by Ronald Grubb (officer), desires to vacate and abandon the current Easement for Temporary Turn Around to amend the previously approved configuration of turnaround from a bulb-cul-de-sac form to a hammerhead type turnaround ; and,

WHEREAS, the Community Development Department and Engineering Department have determined that the revised temporary turnaround configuration is compliant with City Code; and,

WHEREAS, the current property owner has provided a replacement Temporary Turn Around Easement on the eastern terminus of E. Southlawn Drive.

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

1. The replacement Temporary Turn Around Easement on the eastern terminus of E. Southlawn Drive within Carman Estates Plat 2 and more is specifically described as follows, is hereby approved and accepted.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 56 IN CARMAN ESTATES PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH 89 DEGREES 57 FEET 35 INCHES EAST, A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES, 02 FEET, 25" EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 89 DEGREES 57 FEET 35 INCHES EAST, A DISTANCE OF 42.00 FEET; THENCE SOUTH 00 DEGREES, 02 FEET, 25 INCHES WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 89 DEGREES, 57 MINUTES, 37 SECONDS WEST, A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING, CONTAINING 252 SQUARE FEET, MORE OR LESS.

AND

(continued)

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COMMENCING AT THE NORTHWEST CORNER OF LOT 53 IN CARMAN ESTATES PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH 89 DEGREES, 57 MINUTES, 35 SECONDS EAST, A DISTANCE OF 19.84 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES, 57 MINUTES, 35 SECONDS EAST, A DISTANCE OF 42.00 FEET; THENCE SOUTH 00 DEGREES, 02 MINUTES, 25 SECONDS WEST, A DISTANCE OF 6.00 FEET, THENCE NORTH 89 DEGREES, 57 MINUTES, 35 SECONDS WEST, A DISTANCE OF 42.00 FEET; THENCE NORTH 00 DEGREES, 02 MINUTES, 25 SECONDS EAST, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING, CONTAINING 252 SQUARE FEET, MORE OR LESS.

- 2. The previous Easement for Temporary Turn Around recorded on October 13, 2003, in Book 10209, commencing at Page 155, is hereby released and abandoned.
- 3. The City Clerk is authorized and directed to forward a certified copy of this resolution and roll call, and the original of replacement Temporary Turn Around Easement, to the Real Estate Division of the Engineering Department for release to and recording by the current property owner.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown, Assistant City Attorney
U:\Rog Docs\Plats\Pending\Carman Estates Plat 2 - Replace Turnround Esmt.docx

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor

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