



Roll Call Number

16-0761

Agenda Item Number

22

Date May 9, 2016

SET HEARING FOR CONVEYANCE OF A SANITARY SEWER EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 63RD STREET AND GRAND AVENUE TO THE CITY OF WEST DES MOINES, IOWA, FOR THE CITY OF WEST DES MOINES' GRAND AVENUE SIPHON REPLACEMENT PROJECT FOR \$1.00

WHEREAS, a permanent sanitary sewer easement and temporary construction easement has been requested by the City of West Des Moines, Iowa, across property owned by the City of Des Moines, Iowa, located at the southeast corner of Grand Avenue and 63rd Street, for the West Des Moines' Grand Avenue Siphon Replacement Project, which involves replacing an existing West Des Moines sanitary sewer; and

WHEREAS, the City of Des Moines needs to grant the requested easement in order for the City of West Des Moines to proceed with the above referenced project.

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 grant a permanent sanitary sewer easement and temporary construction easement to the City of West Des Moines, Iowa, more specifically described below, for \$1.00:

A perpetual sanitary sewer easement located in Outlot "X", Murrowdale Plat 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa. Said perpetual easement being more particularly described as follows:

Beginning at the Northeast corner of Lot 6, Murrowdale Plat 2, an Official Plat, now included in and forming a part of the City of Des Moines, Iowa; thence North 89°57'59" West (all bearings referenced to Grid North Iowa State Plane Coordinate System South Zone), 45.00 feet along the North line of said Lot 6; thence North 12°19'48" West, 128.77 feet to the South line of an existing sanitary sewer easement as recorded in Book 2408 on Page 520 in the Polk County Recorder's Office; thence South 71°03'10" East, 24.74 feet along said South line; thence South 88°50'49" East, 29.67 feet along said South line; thence South 12°19'48" East, 94.11 feet to the West line of Tract A as recorded in Book 6506 on Page 13 in said County Recorder's Office; thence South 01°31'03" West, 25.26 feet along said West line of Tract A to the point of beginning.

Containing 6,028 square feet, more or less.

AND

A temporary construction easement located in Outlot "X", Murrowdale Plat 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa. Said temporary easement being more particularly described as follows:



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Beginning at the Northeast corner of Lot 6, Murrowdale Plat 2, an Official Plat, now included in and forming a part of the City of Des Moines, Iowa; thence North 89°57'59" West (all bearings referenced to Grid North Iowa State Plane Coordinate System South Zone), 90.00 feet along the North line of said Lot 6 to the Northwest corner thereof; thence North 11°30'32" East, 85.36 feet; thence North 71°03'10" West, 101.31 feet to the West line of said Outlot "X", said line also being the East right-of-way line of 63rd Street; thence North 0°01'22" West, 79.78 feet along said West line of Outlot "X" and said East right-of-way line of 63rd Street to the South right-of-way line of Grand Avenue; thence North 89°59'06" East, 174.02 feet along said South right-of-way to the West line of Tract A as recorded in a plat of survey in Book 6506 on Page 13 in the Polk County Recorder's Office; thence South 01°31'03" West, 196.48 feet along said West line of Tract A to the point of beginning, excluding an existing sanitary sewer easement as recorded in Book 2408 on Page 520 in said Polk County Recorder's Office and excluding perpetual easement exhibit PE-1.

Containing 15,165 square feet, more or less.

2. That the meeting of the City Council at which the conveyance of such easement interest is to be considered shall be on May 23, 2016, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
3. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Iowa Code Section 362.3.
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:

Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GREY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

T. M. Franklin Council 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