

★ Roll Call Number

16-1047

Agenda Item Number

30

Date June 27, 2016

SET HEARING FOR AMENDMENT TO LEASE AGREEMENT WITH DRAKE UNIVERSITY TO ADD A LICENSE ALLOWING INSTALLATION OF A WATER LINE

WHEREAS, on October 26, 2015, by Roll Call 15-1807, the City Council of the City of Des Moines, Iowa, ("City") approved a Lease Agreement with Drake University for approximately .75 acres of land in Prospect Park upon which, and as consideration for the lease agreement, Drake University is to build a boathouse and related improvements; and

WHEREAS, as part of the construction of the boathouse and related improvements Drake University has asked to amend the Lease Agreement to allow for the installation and maintenance of an underground water line and related utility equipment over, under and through a portion of land in Prospect Park, as described below.

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 amend the Lease Agreement with Drake University dated October 26, 2015 to add a license ("License") to allow for the installation and maintenance of an underground water line and related utility equipment over, under and through a portion of land in Prospect Park, legally described as follows:

THE WEST 30.00 FEET OF LOT12 OF THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 LYING BETWEEN PROSPECT ROAD AND HICKMAN ROAD ALL BEING IN SECTION 27, TOWNSHIP 79, RANGE 24 WEST OF THE 5TH PM., CITY OF DES MOINES, POLK COUNTY, IOWA;

AND

THE NORTH 30.00 FEET OF LOT 13 OF THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 LYING SOUTH OF PROSPECT ROAD AND LYING NORTH OF THE SOUTH 700 FEET OF SAID LOT 13, ALL BEING IN SECTION 27, TOWNSHIP 79, RANGE 24 WEST OF THE 5TH PM., CITY OF DES MOINES, POLK COUNTY, IOWA;

2. A public hearing shall be held on July 11, 2016, at 5:00 p.m. in the City Council Chamber, City Hall, City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, 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.



Roll Call Number

16-1047

Agenda Item Number

30

Date June 27, 2016

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 are no proceeds associated with this Council action.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Ann DiDonato, Assistant City Attorney

PIW

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

MOTION CARRIED APPROVED

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