



Roll Call Number

24-0861

Agenda Item Number

20

Date June 17, 2024

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PERMANENT EASEMENT FOR WATER MAIN RIGHT-OF-WAY IN PROPERTY LOCATED AT 2704, 2706, 2714 AND 2718 GEORGE FLAGG PARKWAY TO DES MOINES WATER WORKS \$1.00

WHEREAS, Des Moines Water Works has requested that the City convey a Permanent Easement for Water Main in property located at 2704, 2706, 2714 and 2718 George Flagg Parkway, Des Moines, Iowa, to the City of Des Moines for the use and benefit of the Board of Water Works Trustees of the City of Des Moines, Iowa in accordance with Iowa Code Section 364.7(3) for the public purposes of constructing, reconstructing, repairing, enlarging, maintaining, accessing, and operating a water main, together with appurtenances thereto, both above and below ground, under, over, through and across said Property; and

WHEREAS, the City will not be inconvenienced by the conveyance of a Permanent Easement for Water Main Right-of-Way in City property located at 2704, 2706, 2714 and 2718 George Flagg Parkway.

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 convey a Permanent Easement for Water Main Right-of-Way, as legally described, to the City of Des Moines, Iowa, for the use and benefit of the Board of Water Works Trustees of the City of Des Moines, Iowa:

A PART OF LOTS 1, 2, 3, 4 AND B, VALLEY GARDENS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 55°12'41" WEST, 316.27 FEET TO THE WEST LINE OF SAID LOT B; THENCE NORTH 0°09'50" WEST ALONG SAID WEST LINE, 152.88 FEET TO THE NORTHWEST CORNER OF SAID LOT B; THENCE NORTH 83°57'07" EAST ALONG THE NORTH LINE OF SAID LOT B, 1, 2, 3 AND 4, A DISTANCE OF 261.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.46 ACRES (19,895 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

- 2. A public hearing shall be held on July 15, 2024, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, 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.

In addition, the City Council shall receive written views, comments, objections and arguments from any resident of taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. on July 11, 2024



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(City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; E-mail cityclerk@dmgov.org).

- 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 transaction.

Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
Mackenzie L. Moreno, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

COINIE BOESER Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner City Clerk