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Date February 26, 2007

RESOLUTION CONTINUING PUBLIC HEARING ON VOLUNTARY ANNEXATION

WHEREAS, on December 4, 2006, by Roll Call No. 06-2376, the City Council resolved that the Application for Voluntary Annexation from Mid-America Investment Co., and Mid-America Real Estate Co., both represented by Teresa Wahlert, President, and from NW 77 JV, an Iowa general partnership represented by Alan Rivers, seeking the voluntary annexation by the City of Des Moines of approximately 217 acres in the vicinity of 3930 SE 72nd Avenue (E. Pine Avenue), together with portions of the adjoining rights-of-way, be set down for consideration by the City Council at a public hearing to be held in the Council Chambers on January 22, 2007, at 5:00 p.m.; and,

WHEREAS, the subject property is now owned entirely by Mid-America Real Estate Co. (hereinafter "Mid-America"), represented by Teresa Wahlert, President; and,

WHEREAS, on January 22, 2007, by Roll Call No. 07-167, the hearing was continued to February 12, 2007, to allow time to remedy an error in giving proper notice of the hearing; and,

WHEREAS, on February 12, 2007, by Roll Call No. 07-283, the hearing was continued to February 26, 2007, at the request of Mid-America to allow the applicant to meet with the City staff to address a number of issues related to the annexation, including the responsibility for the planned improvements to the adjoining streets; and,

WHEREAS, Mid-America has requested the hearing be further continued until March 12, 2007, to allow further discussions on the responsibility for the planned improvements to the adjoining streets.

MOVED by \_\_\_\_\_ to continue the public hearing on the annexation until March 12, 2007, at 5:00 p.m., in the Council Chambers.

FORM APPROVED:

*Roger K. Brown*  
 Roger K. Brown, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

.....  
 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.

\_\_\_\_\_  
 City Clerk

RE: Application for Voluntary Annexation of land filed by Mid-America Investment Co., Mid-America Real Estate Co., and NW 77 JV, an Iowa general partnership, seeking the voluntary annexation by the City of Des Moines of approximately 217 acres in the vicinity of 3930 SE 72nd Avenue (E. Pine Avenue), together with portions of the adjoining roads as generally shown below

