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.....
Date August 7, 2006

WHEREAS, on September 20, 1993, by Roll Call No. 93-3490, the Des Moines City Council approved Ordinance 12,040 assigning certain rights and responsibilities pertaining to the Airport to the Des Moines International Airport Board; and

WHEREAS, Section 2-362.09 of the Municipal Code provides that the City shall utilize services of the city, including but not limited to, aviation services, (including airfield, building, ground, operation and maintenance services), engineering services, personnel services, legal services, accounting services, payroll services, property acquisition services, public improvement design services, contract procurement and administrative services, purchasing services, financial services, fire services (excluding priority Aircraft Rescue and Fire Fighting Services), police services and general administration services, to administer, operate and maintain the airport, provided however, that if the board and city manager jointly agree that the city cannot provide the expertise, extraordinary effort, or special resources required for a particular project, the board may acquire and utilize outside services to accomplish such project; and

WHEREAS, prior to the creation of the Airport Board on September 20, 1998, the City Council authorized by Roll Call No. 91-646, on February 18, 1991, the hiring of outside counsel on an ongoing basis to assist in certain title work for the Des Moines International Airport, consisting of abstract assemblage, construction, organization and updating for purposes of meeting FAA grant requirements; and

WHEREAS, the City of Des Moines is required to submit a Title Certification on all Airport property, based on an Attorney's Title Opinion, with each Federal Aviation Administration Grant acceptance; and

WHEREAS, the Airport Board authorized the hiring of Antonio Colacino of the law firm of Nyemaster, Goode, West, Hansell & O'Brien, P.C. to represent the City of Des Moines for airport title opinion work by Resolution No. A01-351 on December 4, 2001; and

WHEREAS, a billing has been received in the amount of \$550.00 through December 31, 2005; and

WHEREAS, the Legal Department has reviewed the billing and recommends payment.

★ **Roll Call Number**

Agenda Item Number

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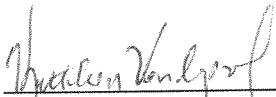
Date August 7, 2006

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NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that it hereby approves the payment of \$550.00 to the law firm of Nyemaster, Goode, West, Hansell & O'Brien, P.C. and authorize the Finance Department to submit payment for the invoice.

Moved by _____ to adopt.

Approved as to form:



Kathleen Vanderpool
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLISSIS				
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

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Nyemaster, Goode, West, Hansell & O'Brien, P.C.

**Attorneys & Counselors at Law
700 Walnut Street, Suite 1600
Des Moines, IA 50309-3899**

Federal Tax ID: 42-1154516

Des Moines International Airport
c/o Kathleen Vanderpool
5800 Fleur Drive - Room 201
Des Moines, IA 50321

AC
Invoice No.: 567650
January 23, 2006

FOR PROFESSIONAL SERVICES RENDERED THROUGH December 31, 2005

Matter ID: 23734-00-0000

**RE:
Des Moines International Airport - Title Certifications**

11/1/2005	AC	0.30	Telephone conference and e-mails with Kathy Vanderpool regarding Army Post Development abstract and final title opinion; conference regarding Crimmins abstract.
11/4/2005	AC	0.20	E-mails from and to Kathy Vanderpool regarding Army Post Development title certification.
11/11/2005	AC	0.50	Receive package of documents from Kathy Vanderpool regarding Orr property and County light tower easement; e-mail regarding missing materials.
11/14/2005	AC	0.70	E-mail from Kathy Vanderpool; receive recorded documents and review for title opinions on Orr property and Polk County light tower easement.
11/15/2005	AC	0.60	Complete Rebecca Orr property title certificate opinion; work on county documents.
11/16/2005	AC	0.50	Complete Polk County bike trail avigation easement opinion; correspondence to Kathy Vanderpool.
11/29/2005	AC	0.50	Receipt of abstract for Army Post Development; begin review; e-mails to and from Kathy Vanderpool.
11/30/2005	AC	1.00	Examine new Iowa Title abstract to Army Post Development property and prepare final title opinion.
12/7/2005	AC	0.10	Telephone conference with Kathy Vanderpool.

Sub-Total Fees: 550.00

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SUMMARY OF PROFESSIONAL SERVICES

PROFESSIONAL	HOURS	RATE	AMOUNT
Antonio Colacino	4.40	125.00	550.00
	<u>4.40</u>		<u>550.00</u>

Total Current Billing: 550.00

Previous Balance Due: 87.50

Total Payments: 0.00

Total Now Due: 637.50