

Date August 9, 2010

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION
OF A PARCEL IN THE 4900 BLOCK OF EASTON BOULEVARD

WHEREAS, the City of Des Moines has received an Application for Voluntary Annexation from Lowell and Cathy Long, seeking voluntary annexation of a vacant parcel in the 4900 block of Easton Boulevard (county road NE 23rd Avenue), all as generally shown on Exhibit "A" and more specifically described as follows:

All that portion of the following tract not previously annexed into the City of Des Moines, Iowa:

A tract of land in Lot 1 of the Plat of the Stephen Harvey Estate in the East Half of the Southwest Quarter of Section 27, Township 79 North, Range 23 West of the 5th P.M., Polk County, Iowa, more particularly described as follows: Commencing at the Southwest Corner of the SE ¼ of the SW ¼ of Section 27, T79N, R23W of the 5th P.M., Polk County, Iowa; thence N90°00'00"E, 328.17 feet, along the South line of the SW ¼ of said Section 27, to the Point of Beginning. Thence N00°02'32"E, 1460.10 feet; thence N90°00'00"E, 328.17 feet; thence South 00°02'32"W, 1460.10 feet to the South line of said SW ¼; thence along said South line S90°00'00"W, 328.17 feet to the Point of Beginning. Said tract contains 11.00 acres including 0.249 acres of public road right of way. (District/Parcel No.: 190/01863-001-001)

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The proposed annexation by the City of Des Moines of the territory shown by the map attached hereto as Exhibit "A" and as more specifically described above, shall be considered by the City Council at a public hearing to be held on September 27, 2010, at 5:00 p.m., in the Council Chambers, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. The City Clerk is hereby authorized and directed to publish notice of the hearing in the form attached hereto, by publication in the Des Moines Register on September 3, 2010.
3. The Legal Department is hereby authorized and directed to cause notice of the hearing to be mailed to all interested parties at least 14 business days prior to the hearing as required by Iowa Code §368.7.

(continued)

.....
Date August 9, 2010.....

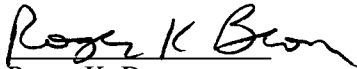
-2-

4. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the county board of supervisors and the township trustees. The consultation meeting shall be held at a time and location to be determined by the City Manager.

(Council Communication No. 10-)

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

C:\Rog\annex\individual Voluntary\long\RC set hrg.doc

Attachments:

Exhibit "A" - Map

Exhibit "B" - Application for Voluntary Annexation

Exhibit "C" - Notice of Hearing

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

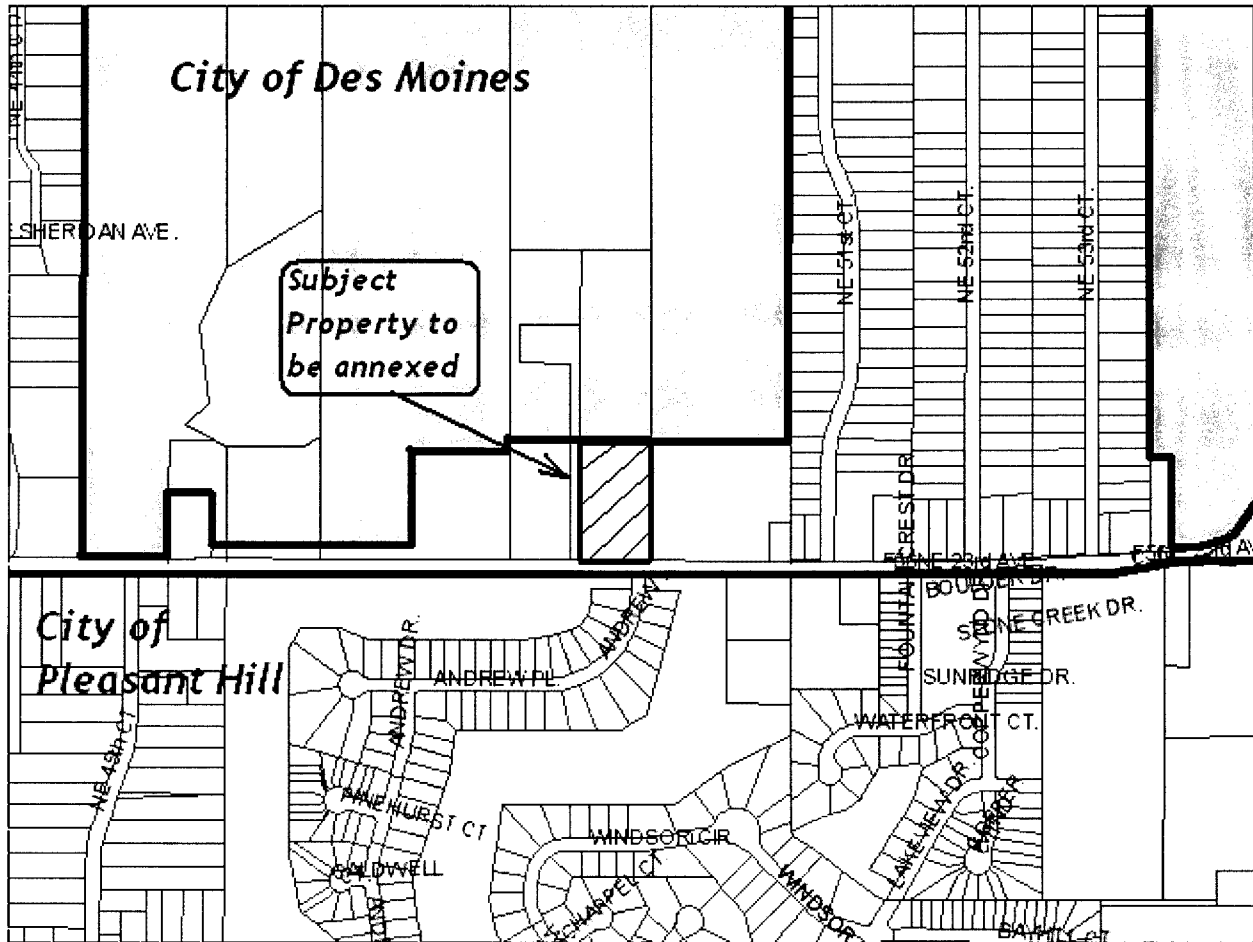
MOTION CARRIED

APPROVED

 Mayor

 City Clerk

Exhibit "A" Vicinity Map of the Subject Property



Application for Voluntary Annexation
(Lowell and Cathy Long)

To: City Council
City of Des Moines, Iowa
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Re: Voluntary annexation of the following tract in Delaware Township, Polk County, hereinafter referred to as the "Territory":

District/Parcel No.: 190/01863-001-001

Legal:

All that portion of the following tract not previously annexed into the City of Des Moines, Iowa:

A tract of land in Lot 1 of the Plat of the Stephen Harvey Estate in the East Half of the Southwest Quarter of Section 27, Township 79 North, Range 23 West of the 5th P.M., Polk County, Iowa, more particularly described as follows: Commencing at the Southwest Corner of the SE ¼ of the SW ¼ of Section 27, T79N, R23W of the 5th P.M., Polk County, Iowa; thence N90°00'00"E, 328.17 feet, along the South line of the SW ¼ of said Section 27, to the Point of Beginning. Thence N00°02'32"E, 1460.10 feet; thence N90°00'00"E, 328.17 feet; thence South 00°02'32"W, 1460.10 feet to the South line of said SW ¼; thence along said South line S90°00'00"W, 328.17 feet to the Point of Beginning. Said tract contains 11.00 acres including 0.249 acres of public road right of way.

Lowell A. Long and Cathy S. Long, husband and wife, hereby make application to the City of Des Moines, Iowa, to annex the Territory described above which is generally shown on the map identified below as Exhibit "A". In support of this application we represent and state as follows:

1. We are the sole owners of the Territory described above, exclusive of road right-of-way, and seek to have the Territory annexed into the City of Des Moines to permit the Territory to be developed for commercial and residential uses at urban densities with city services.
2. This application is subject to the City of Des Moines agreeing that the City shall not forward the application to the City Development Board or otherwise cause the annexation to become final and effective, until after the fifth business day after the application has been approved by the Des Moines City Council, and that we may withdraw this application at any time within the five business days after the application has been approved by the City Council, if we are not satisfied with the conditions upon which the City proposes to annex the Territory.
3. No solid waste collection service (garbage pickup) or public water service is currently provided to the Territory.
4. We acknowledge that the south 90 feet of the Territory, which includes the road easement, may need to be removed from the territory proposed to be annexed to avoid the creation of an island of land surrounded by the City of Des Moines.

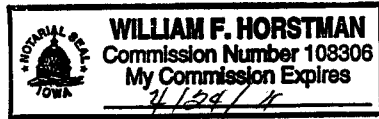
Date: June 1, 2010

Lowell A. Long
Lowell A. Long

Cathy S. Long
Cathy S. Long

State of Iowa) ss:
County of Polk)

This instrument was signed and acknowledged before me on June 1, 2010, by
Lowell A. Long and Cathy S. Long.



William F. Horstman
Notary Public in the State of Iowa
My commission expires: 4-27-11

Exhibit "A"

Map of the Territory to be Annexed

