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**Date** February 14, 2011

**RESOLUTION SCHEDULING HEARING ON PROPOSED VACATION AND  
CONVEYANCE OF RIGHTS-OF-WAY NECESSARY FOR THE RELOCATION OF  
GANNETT AVENUE TO ACCOMMODATE THE PLANNED EXPANSION OF THE  
EXISTING HEWLETT-PACKARD FACILITY AT 3600 ARMY POST ROAD**

WHEREAS, on January 24, 2011, by Roll Call No. 11-0140, the City Council authorized the Mayor to sign on behalf of the City of Des Moines as a sponsor to the application of Hewlett-Packard Company to the Iowa Department of Economic Development, for state assistance for a planned 300,000 square foot expansion adjacent to its existing 408,000 square foot facility at 3600 Army Post Road; and,

WHEREAS, Opus Development Corporation, represented by Jeff Smith, officer, is assembling the site for the expansion of the Hewlett-Packard facility and has the balance of the site, exclusive of the City-owned rights-of-way under contract; and,

WHEREAS, Opus Development Corporation has requested that the City vacate and convey to it the segment of Gannett Avenue extending east from SW 34th Street and a segment of SW 34th Street extending north from Gannett Avenue, all in Airport Business Park Plat 2, in exchange for the dedication and improvement of the right-of-way necessary to relocate Gannett Avenue to a more northerly location between SW 34th Street and the existing segment of Gannett Avenue in Airport Commerce Park Plat 2, to allow for the planned expansion of the Hewlett-Packard facility at 3600 Army Post Road; and,

WHEREAS, the Planning Administrator has reported in the accompany letter that on January 20, 2011, the City Plan and Zoning Commission voted 11-0 in support of a motion to recommend approval of the request for the vacation and conveyance of the segments of Gannett Avenue and SW 34th Street described above; NOW, THEREFORE,

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the segment of Gannett Avenue extending east from SW 34th Street and a segment of SW 34th Street extending north from Gannett Avenue, all in Airport Business Park Plat 2, an Official Plat.
2. That if the City Council decides to vacate the above described rights-of-way, the City of Des Moines proposes to sell and convey such vacated right-of-way to Opus Development Corporation, or its designee, in exchange for an undertaking by it to dedicate and improve the right-of-way necessary to relocate Gannett Avenue to a more northerly location between SW 34th Street and the existing segment of Gannett Avenue in Airport Commerce Park Plat 2, and to cause Hewlett-Packard Company to undertake its planned expansion adjacent to its existing facility at 3600 Army Post Road.

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3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such real estate is to be considered shall be on February 28, 2011, said meeting to be held at 5:00 p.m., in the Council Chambers.
4. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K Brown*

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
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

Army Post Development LC Street Vacation - SW 34th Street & Gannett Ave 11-2010-1.20

