



12-1(B) ✓

DATE December 3, 2018

APPROVING PRIVATE CONSTRUCTION CONTRACT BETWEEN  
MCANINCH CORPORATION AND  
HRC NFS I, LLC  
FOR SANITARY SEWER IMPROVEMENTS IN GRAY'S STATION PLAT 2  
\$47,152.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached contract documents for a Private Construction Contract in the amount of \$47,152.00 between McAninch Corporation, Douglas D. McAninch, President/CEO, 4001 Delaware Avenue, Des Moines, IA, 50313 - as Contractor, and HRC NFS I, LLC, Rick Tollackson, President and CEO, 6900 Westown Parkway, West Des Moines, IA, 50266 - as Owner, for construction of Sanitary Sewer Improvements described as sanitary sewer improvements to serve Gray's Station Plat 2, as shown on Plan File Numbers 598-001/064, that are located on property previously owned by River Point West, LLC and now owned by the City of Des Moines, Iowa, which property is as legally described in attached Exhibits D-1 and D-2, which improvements and property were excluded from the Private Construction Contract for construction of sanitary sewer improvements between Owner and Contractor dated September 7, 2018, be and the same are hereby approved and permission be and is hereby granted to the parties of said contract to construct said Sanitary Sewer Improvements in accordance with said contract documents **all contingent upon and subject to:**

1. Receipt of Private Construction Contracts prepared by the Legal Department, and bond approved as to form by the Legal Department, fees due with submission of Private Construction Contract and certificate of insurance acceptable to the Engineering Department; and
2. Inspection and approval of the Des Moines City Engineer.

BE IT FURTHER RESOLVED that the City will not accept ownership of the Improvements, as defined in the Private Construction Contract, until the City Council has determined that the following conditions have been met:

1. All conditions set forth in the Private Construction Contract have been met; and
2. Owner and Contractor have complied with any additional testing requirements and made all repairs determined necessary by the City Engineer for acceptance of the Improvements; and
3. The necessary permanent property interest from River Point West, L.L.C. have been acquired to construct all improvements described to serve Gray's Station Preliminary Plat 2, as shown on Plan File Numbers 598-001/064; and
4. HRC NFS I, LLC has completed construction of the additional sanitary sewer improvements which are included in a Private Construction Contract approved by the City on September 7, 2018; and
5. The City Engineer recommends acceptance of the Improvements to the City Council; and
6. Council has accepted by resolution the sanitary sewer improvements constructed pursuant to the Private Construction Contract approved by the City on September 7, 2018.

★ **Roll Call Number**

Agenda Item Number

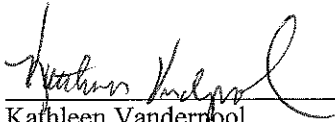
12-F(B)

DATE December 3, 2018

Activity ID: 07-2019-108

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
 \_\_\_\_\_  
 Kathleen Vanderpool  
 Deputy City Attorney

Funding Source: All project costs are to be paid by the Owner(s), HRC NFS I, LLC

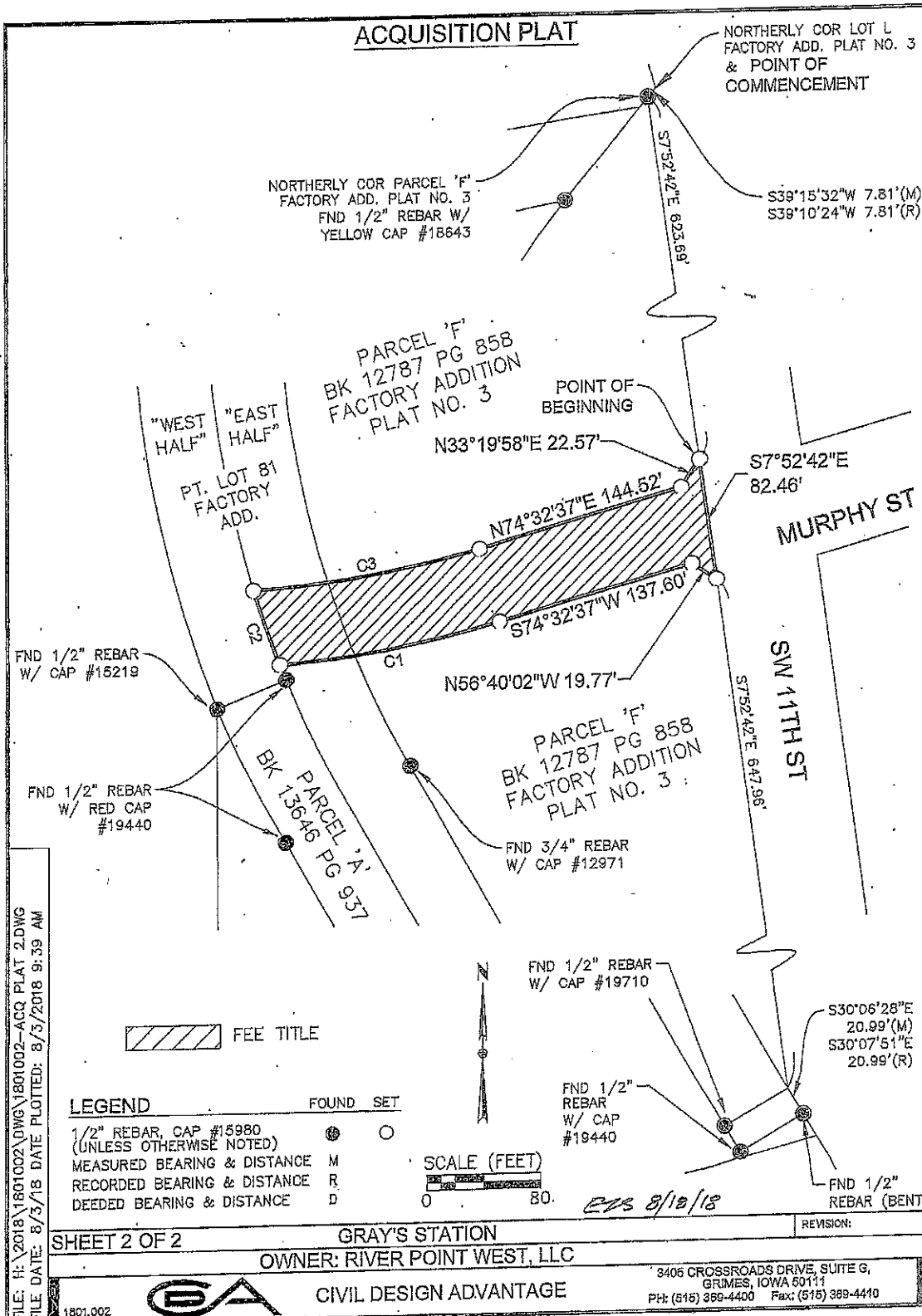
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		
				Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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

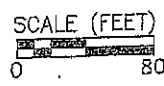
**EXHIBIT "D-1"**  
**Survey of Murphy Street Right-of-Way**



FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 2.DWG  
 FILE DATE: 8/3/18 DATE PLOTTED: 8/3/2018 9:39 AM

**LEGEND**

	FOUND	SET
1/2" REBAR, CAP #15980 (UNLESS OTHERWISE NOTED)	⊙	○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	



*EDS 8/10/18*

SHEET 2 OF 2

GRAY'S STATION

OWNER: RIVER POINT WEST, LLC

REVISION:



CIVIL DESIGN ADVANTAGE

3406 CROSSROADS DRIVE, SUITE G,  
 GRIMES, IOWA 50111  
 PH: (515) 389-4400 Fax: (515) 389-4410

1801.002

**INDEX LEGEND**

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, PT.  
LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE  
201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE  
3405 SE CROSSROADS DRIVE, SUITE G  
GRIMES, IOWA 50111  
PH: 515-369-4400

**ACQUISITION PLAT**

OF PROPERTY BEING CONVEYED  
TO THE CITY OF DES MOINES

**AREA SUMMARY**

0.38 ACRES (16,525 S.F.)

**TAX PARCEL**

PT 020/01041-004-011  
PT 020/01091-005-005

**DATE OF SURVEY**

FEBRUARY, 2018  
**REVISED**  
AUGUST, 2018

**LEGAL DESCRIPTION**

A PART OF PARCEL 'F' OF FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT, AS SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 12787, PAGE 858 AND A PART OF LOT 81, FACTORY ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

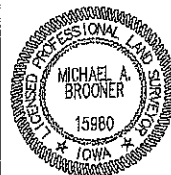
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**CURVE DATA**

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	11°27'11"	776.00'	155.12'	S80°16'13"W	154.86'
C2	4°19'36"	716.25'	54.09'	N19°22'17"W	54.08'
C3	12°35'14"	724.00'	159.05'	N80°50'14"E	158.73'

*ETS 8/8/18*

FILE: H:\2018\1801002\DWG\1801002-ACQ PLAT 2.DWG  
DATE PLOTTED: 8/3/2018 9:30 AM



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Michael A. Brooner* 8-7-2018  
MICHAEL A. BROONER, P.L.S. DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018  
PAGES OR SHEETS COVERED BY THIS SEAL:  
SHEETS 1-2

SHEET 1 OF 2

GRAY'S STATION

OWNER: RIVER POINT WEST, LLC

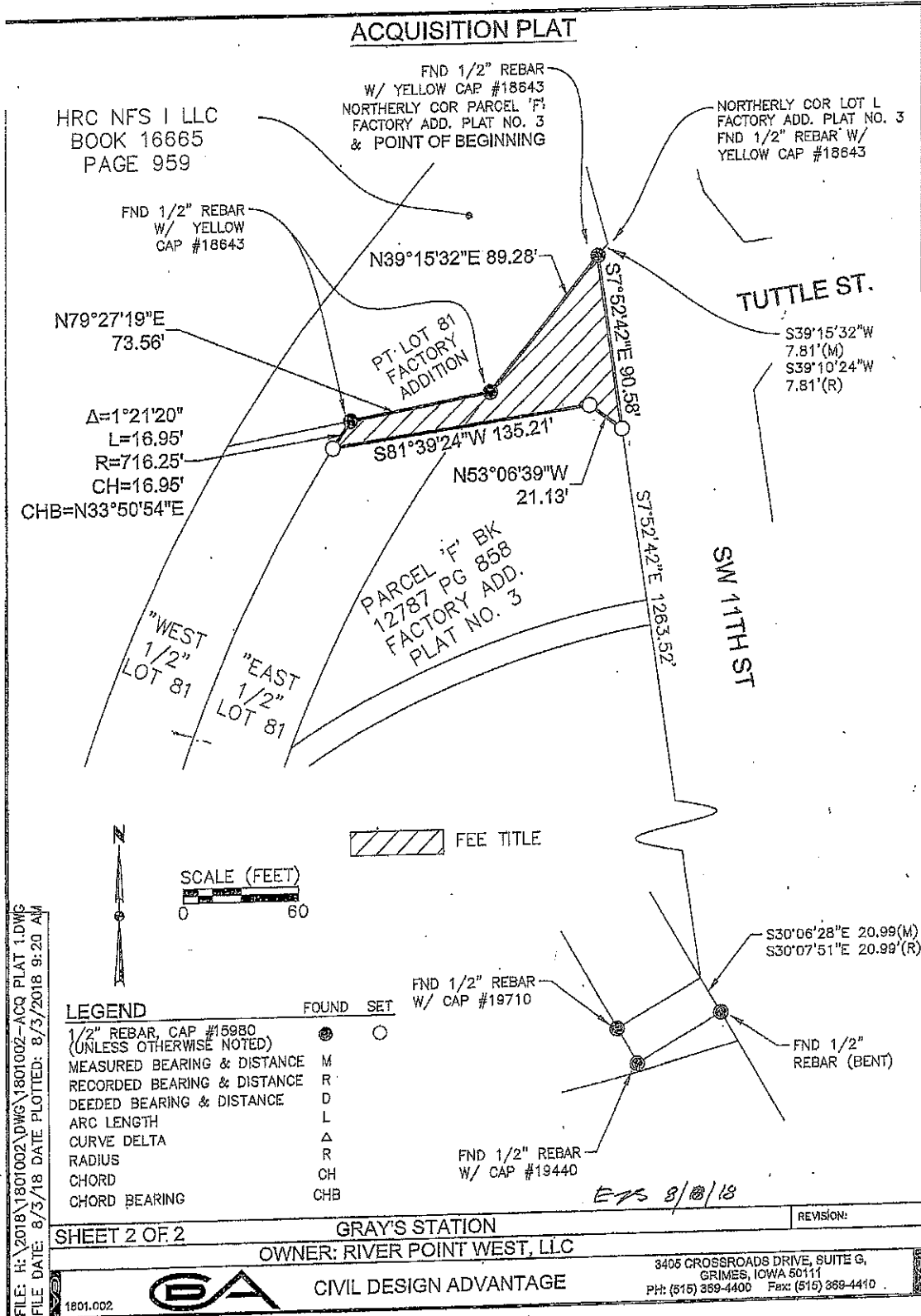
REVISION:



CIVIL DESIGN ADVANTAGE

3405 CROSSROADS DRIVE, SUITE G,  
GRIMES, IOWA 50111  
PH: (515) 369-4400 Fax: (515) 369-4410

**EXHIBIT "D-2"**  
**Survey of Tuttle Street Right-of-way**



**INDEX LEGEND**

LOCATION: PARCEL 'F', FACTORY ADD. PLAT NO. 3, LOT 81, FACTORY ADD., DES MOINES

REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE 201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE  
3405 SE CROSSROADS DRIVE, SUITE G  
GRIMES, IOWA 50111  
PH: 515-389-4400

**ACQUISITION PLAT**

OF PROPERTY BEING CONVEYED  
TO CITY OF DES MOINES

AREA SUMMARY

0.10 ACRES (4,187 S.F.)

TAX PARCEL

PT 020/01041-004-011  
PT 020/01091-005-005

DATE OF SURVEY

FEBRUARY, 2018

REVISED

AUGUST, 2018

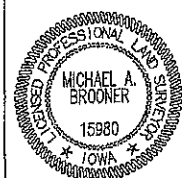
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EPS 8/3/18



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SHEET 1 OF 2

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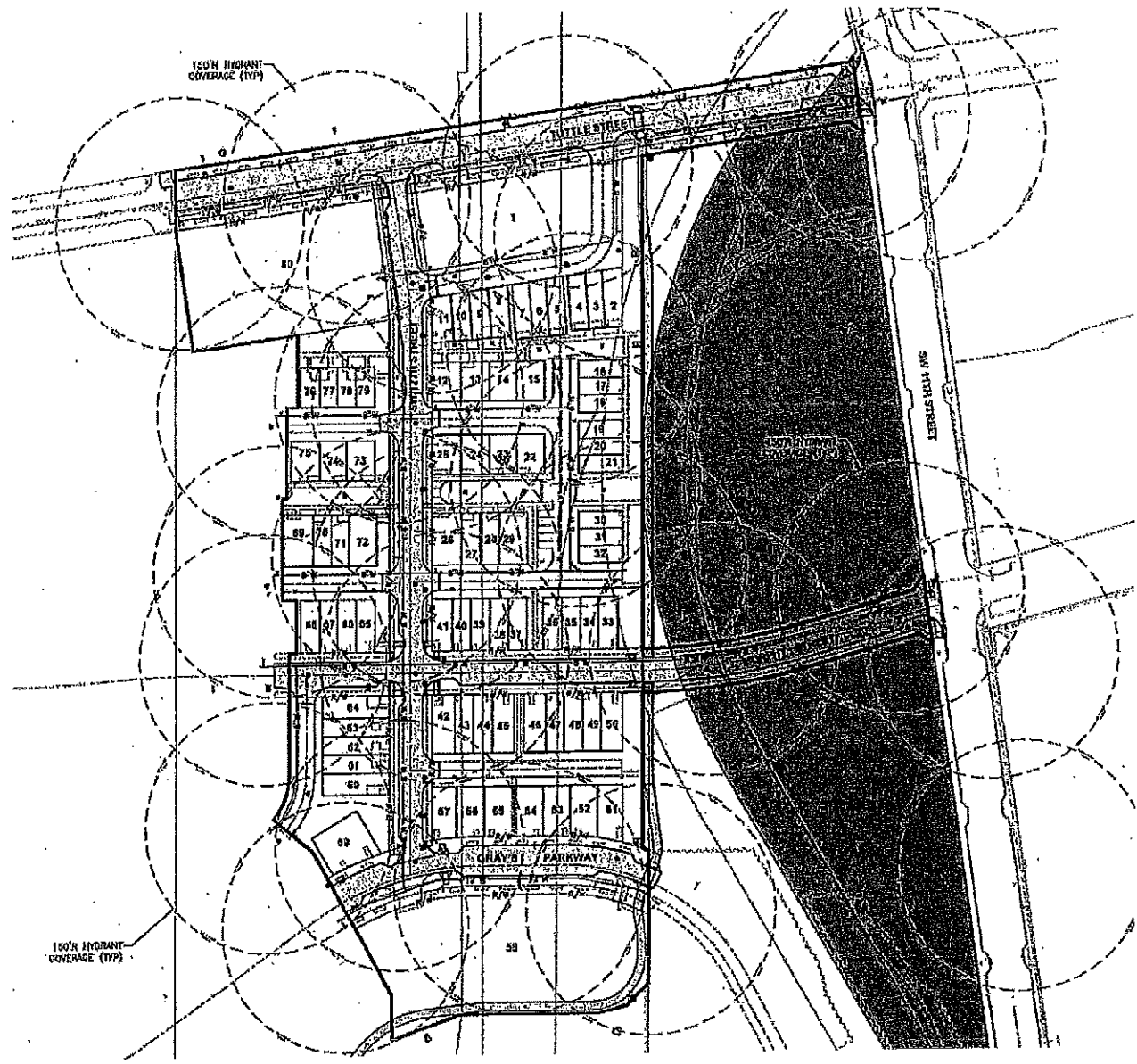


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3405 CROSSROADS DRIVE, SUITE G,  
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PH: (515) 389-4400 Fax: (515) 389-4410

1801.002

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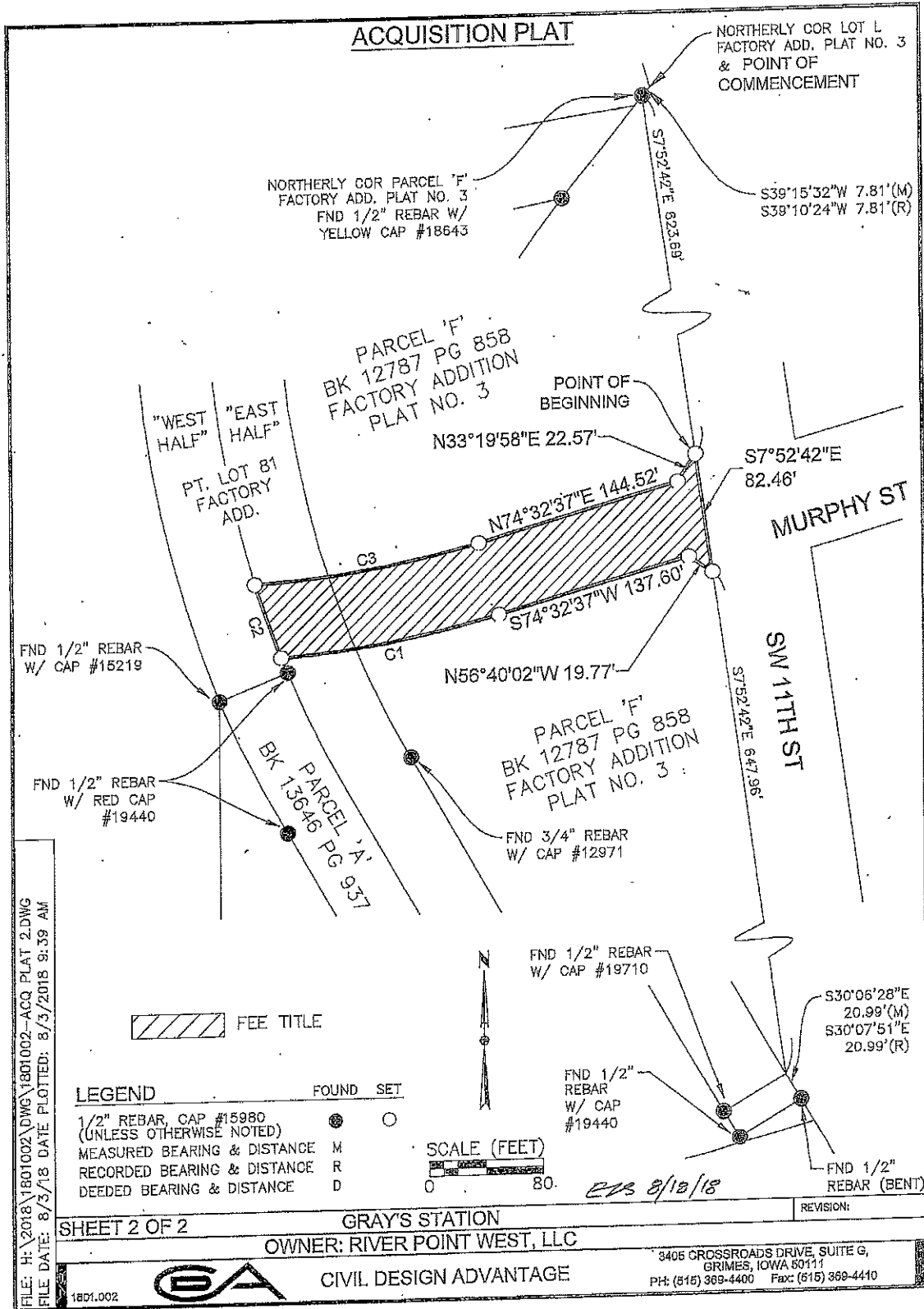


**GRAY'S STATION PRELIMINARY PLAT 2**

- PAVING IMPROVEMENTS - 06-2019-107**
- SANITARY SEWER IMPROVEMENTS - 07-2019-108**
- STORM SEWER IMPROVEMENTS - 08-2019-107**

Item  
12-F(B)

**EXHIBIT "D-1"**  
**Survey of Murphy Street Right-of-Way**





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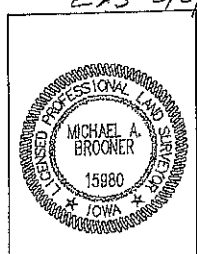
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*EM 8/8/18*

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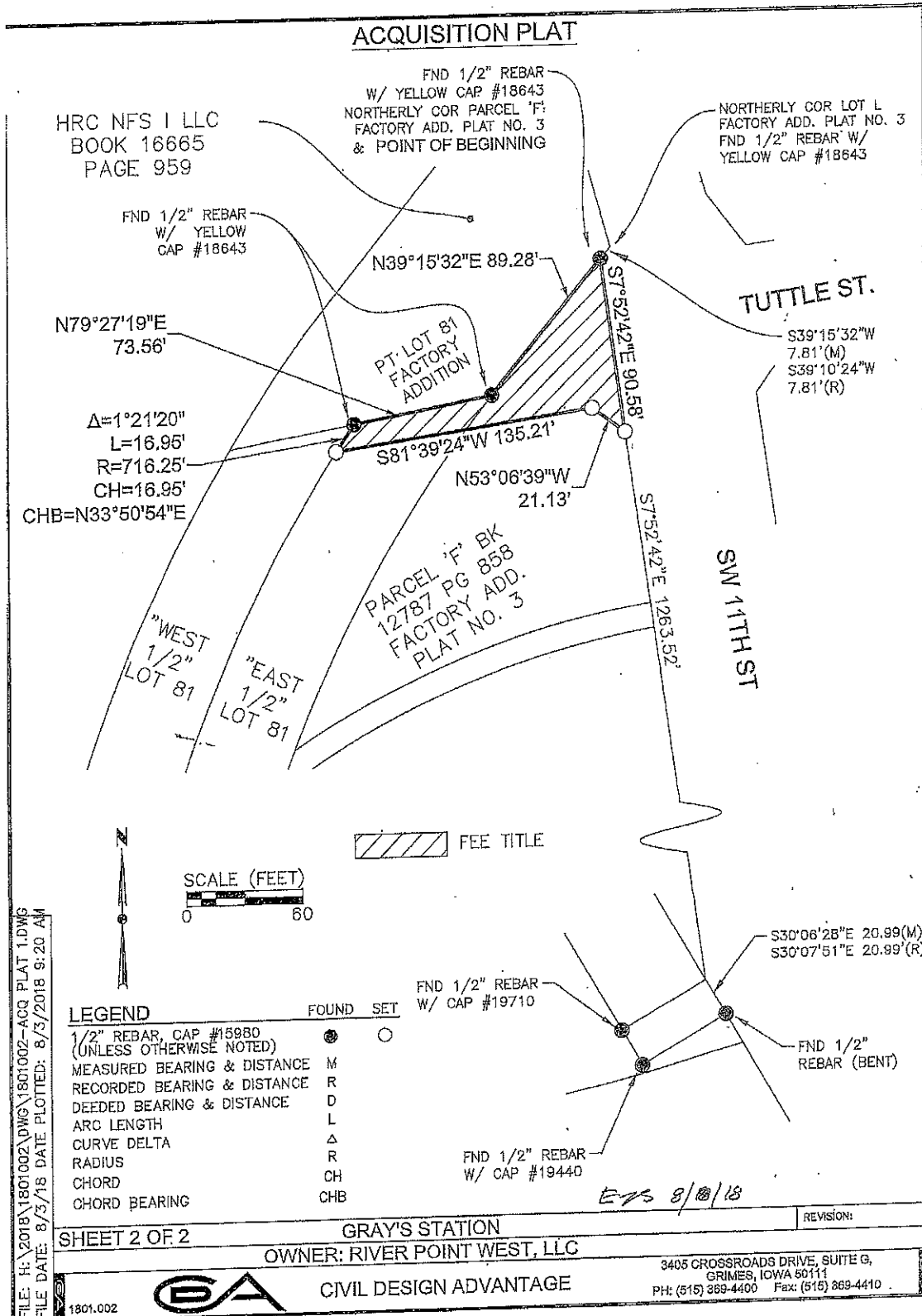


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*Michael Brooner* 8-7-2018  
MICHAEL A. BROONER, P.L.S. DATE

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SHEETS 1-2

**EXHIBIT "D-2"**  
**Survey of Tuttle Street Right-of-way**



NDEX LEGEND

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REQUESTOR: CITY OF DES MOINES

PROPRIETOR: RIVER POINT WEST LLC 233 PARK AVE STE 201 MINNEAPOLIS MN 55415-1112

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

RETURN TO: CIVIL DESIGN ADVANTAGE  
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PH: 515-369-4400

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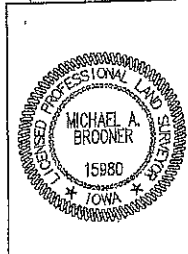
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OWNER: RIVER POINT WEST, LLC

REVISION:



CIVIL DESIGN ADVANTAGE

3405 CROSSROADS DRIVE, SUITE G,  
GRIMES, IOWA 50111  
PH: (515) 369-4400 Fax: (515) 369-4410

1801.002

## Exhibit D-3 Permanent Easement for Sanitary Sewer

RETURN TO: CIVIL DESIGN ADVANTAGE, 3406 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA. 50111, PH: 369-4400 FAX: 369-4410

### EXHIBIT 'A' - EASEMENT EXHIBIT

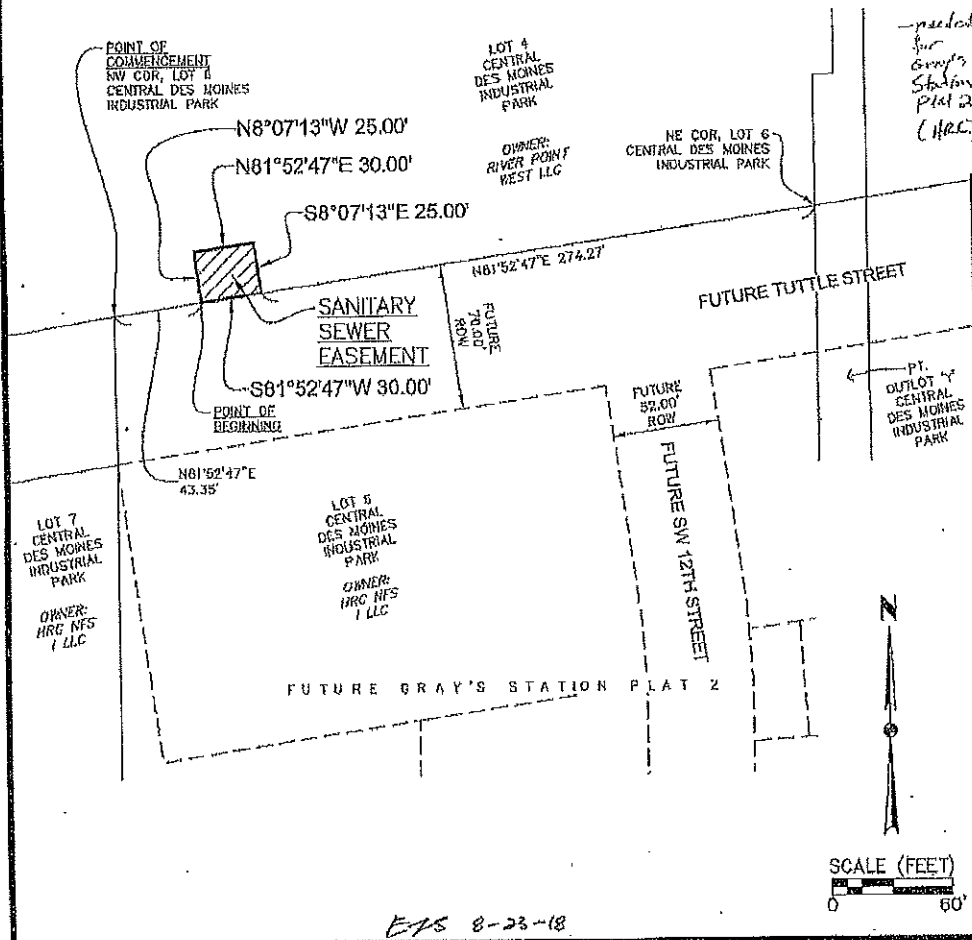
**OWNER**

RIVER POINT WEST LC  
253 PARK AVE STE 201  
MINNEAPOLIS, MN 55415

**SANITARY SEWER EASEMENT DESCRIPTION**

A PART OF LOT 4, CENTRAL DES MOINES INDUSTRIAL PARK, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE NORTH 81°52'47" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 43.35 FEET TO THE POINT OF BEGINNING; THENCE NORTH 8°07'13" WEST, 25.00 FEET; THENCE NORTH 81°52'47" EAST, 30.00 FEET; THENCE SOUTH 8°07'13" EAST, 25.00 FEET TO SAID NORTH LINE; THENCE SOUTH 81°52'47" WEST ALONG SAID NORTH LINE, 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (750 SQUARE FEET).



	<p>PT. LOT 4, CENTRAL DES MOINES INDUSTRIAL PARK EASEMENT EXHIBIT</p>		<p>3406 SE CROSSROADS DRIVE, SUITE G GRIMES, IOWA 50111 PH: (515) 369-4400 Fax: (515) 369-4410</p>
<p>1/1 1001.002</p>	<p>DES MOINES, IOWA</p>	<p>CIVIL DESIGN ADVANTAGE</p>	