

★ Roll Call Number
06-1005

Agenda Item Number
22

Date May 22, 2006

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION
(Broadway Distributing Company)

WHEREAS, the City of Des Moines has received an Application for Voluntary Annexation from Broadway Distributing Company, represented by Ronald M. Lamb, seeking the voluntary annexation by the City of Des Moines of land south of NE 46th Avenue (Broadway Avenue) and west of NE 14th Street, generally shown on Exhibit "A" and more specifically described below; and,

WHEREAS, incident to the annexation it is further proposed that the City annex the adjoining one-half of NE 46th Avenue (Broadway Avenue); 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 more specifically described below, shall be considered by the City Council at a public hearing to be held on July 10, 2006, 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:

Except North 7.0 feet, Lots 9 and 10, Strickler Heights, an Official Plat, Polk County, Iowa; and, the adjoining South 1/2 of NE 46th Avenue right-of-way extending to the centerline of the road.

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 June 16, 2006.
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)

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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.

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney
C:\Rog\Annex\Individual Voluntary\Cases\RC set hrg.doc

Attachments:
Exhibit "A" - Map

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BROOKS	✓			
COLEMAN	✓			
HENSLEY	✓			
MAHAFFEY	✓			
KIERNAN	✓			
VLASSIS	✓			
TOTAL	7			

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

Mike Franklin
Mayor

Diane Rauh City Clerk