

Date May 22, 2006

RESOLUTION SCHEDULING HEARING ON VOLUNTARY ANNEXATION
(Portions of Broadway Business Park)

WHEREAS, the City of Des Moines has received Applications for Voluntary Annexation from Hubbell Properties I, L.C. (Series A), and Hubbell Properties II, L.C. (Series C), both represented by Steven Niebuhr, Senior Vice President, and from GTO Investments, L.L.C., represented by Greg Ortmann, Manager, seeking the voluntary annexation by the City of Des Moines of land in Broadway Business Park along NE 50th Street south of NE 46th Avenue (Broadway Avenue), 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 entirety of NE 50th Street (Lot "A"), in Broadway Business Park Plat 2, an Official Plat; 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 as follows:

Lot A (NE 50th Street right-of-way), and Lots 1, 6 through 16, and 22, all in Broadway Business Park Plat 2, an Official Plat, Polk County, Iowa,

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.

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

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Attachments:

Exhibit "A" - Map

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

MOTION CARRIED

APPROVED

Tom Franklin 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.

Diane Rauh City Clerk