



## WEST DES MOINES WATER WORK BOARD OF TRUSTEES MEETING COMMUNICATION

**DATE:** January 22, 2018

**ITEM:**

5. Consent Agenda  
d. Resolution

– Accepting Permanent Access Easement  
for Water Main and Appurtenances

**FINANCIAL IMPACT:**

None

**SUMMARY:**

As part of the development of the Maple Grove United Methodist Church development, a meter pit was located outside of the roadway right-of-way platted with the project. This easement provides access to the meter pit outside of the platted right-of-way.

**BACKGROUND:**

West Des Moines Water Works requires an access easement to allow staff to access and operate water infrastructure located outside of the public right-of-way.

**RECOMMENDED ACTION BY THE BOARD OF TRUSTEES:**

To Adopt the Resolution Entitled "Accepting Permanent Access Easement for Water Main and Appurtenances".

Prepared by:

*William Mahure*

Approved for Content by:

*Wilson*

## **RESOLUTION**

### **A RESOLUTION ACCEPTING PERMANENT ACCESS EASEMENT FOR WATER MAIN AND APPURTENANCES**

**WHEREAS**, Maple Grove United Methodist Church, has granted a permanent access easement for water main and appurtenances to the West Des Moines Water Works, and

**WHEREAS**, documents conveying the easements have been signed by the property owners and are presented to the Water Works for approval; and

**WHEREAS**, the acquisition of these easements will allow the West Des Moines Water Works access to the meter pit, located outside of the City right-of-way.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE WEST DES MOINES WATER WORKS, AS FOLLOWS:**

That said water main easement is hereby accepted by the West Des Moines Water Works to allow for future access for operation of water distribution system facilities.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of January, 2018

**BOARD OF TRUSTEES, WEST DES MOINES WATER WORKS**

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Brian Rickert  
Chair

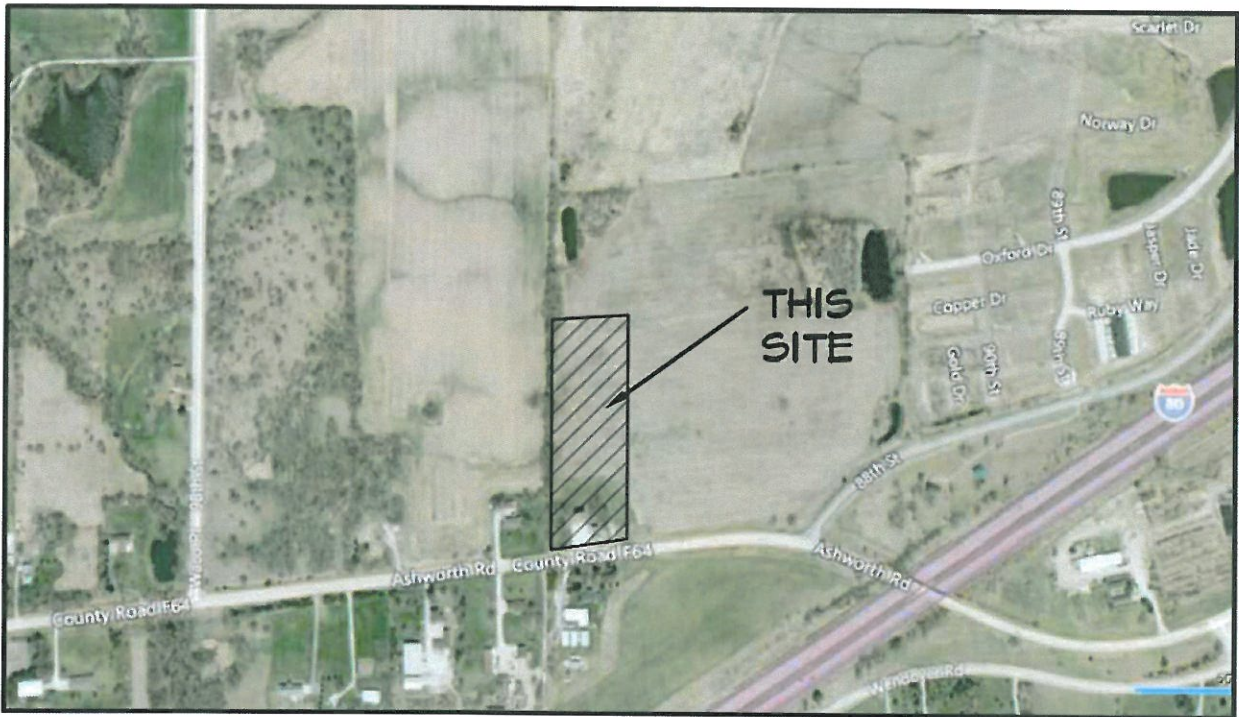
Attest:

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Diana Wilson  
Secretary



## Location Map



Prepared by KTragesser City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320 515-222-3620  
Return to: West Des Moines Water Works, 4200 Mills Civic Parkway, Suite 1D, West Des Moines, IA 50265, (515) 222-3510

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**PERMANENT ACCESS EASEMENT FOR WATER MAIN AND APPURTENANCES**

KNOW ALL MEN BY THESE PRESENTS:

**THAT Maple Grove United Methodist Church**, hereinafter referred to as the Grantor, in consideration of the sum of one and no/100 Dollar (\$1.00), in hand paid to the **City of West Des Moines, Iowa**, an Iowa Municipal Corporation, acting through its Board of Water Works Trustees, hereinafter referred to as City, receipt of which is hereby acknowledged, does sell, grant and convey to the City a permanent water main easement (hereinafter called "Easement") upon, over, under, through, and across the following described real property, and also including the right of ingress and egress over adjoining lands of Grantor, to wit:

BEGINNING, AS A POINT OF REFERENCE, AT THE S1/4 CORNER OF SECTION 3-78-26; THENCE N00°31'14"E, 60.50 FEET TO A POINT; THENCE N83°11'23"E, 10.00 FEET TO THE POINT OF BEGINNING; THENCE N06°48'37"W, 10.00 FEET TO A POINT; THENCE N83°11'23"E, 10.00 FEET TO A POINT; THENCE S06°48'37"E, 10.00 FEET TO A POINT; THENCE S83°11'23"W, 10.00 FEET TO THE POINT OF BEGINNING AND ALL CONTAINING 100 SQUARE FEET MORE OR LESS.

to permit and allow the City, and others working on its behalf, to enter at any time upon and into the easement area described herein, and to use as much of the surface and subsurface thereto as is reasonably needed to operate whenever necessary, the water main and appurtenances thereto within the easement area granted herein, but for no other purpose or use whatsoever.

**THAT** the within easement grant shall run with the land and be binding upon the heirs, assignees and transferees of the Grantor herein and shall be permanent unto the City.

**GRANTOR** covenants with the City that it holds the above described real property by good and perfect title, free and clear of all liens and encumbrances and that the Grantor has a good right and lawful authority to make and execute this Easement herein. Grantor warrants and defends this Easement against the lawful claims of all persons.

**WORDS** and phrases shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to context.

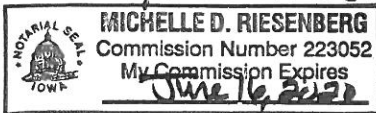
IN WITNESS WHEREOF, Grantor has executed this instrument on this 14 day of Nov, 2017

Maple Grove United Methodist Church

By: Ron Sweeney Project Manager  
Printed Ron Sweeney

STATE OF IOWA, COUNTY OF \_\_\_\_\_

This record was acknowledged before me on Nov. 14, 2017, by  
Ron Sweeney, Project Mgr. (title) of Maple Grove United Methodist Church.



Michelle D. Riesenbergh  
Notary Public in and for the State of Iowa

**WEST DES MOINES WATER WORKS, WEST DES MOINES IOWA**

I, Diana J. Wilson, General Manager of West Des Moines Water Works, do hereby certify that the within and foregoing Easement was duly approved and accepted by me on behalf of West Des Moines Water Works on the 3<sup>rd</sup> day of January, 2017. 8/2/17

Diana J. Wilson  
Diana J. Wilson

General Manager, West Des Moines Water Works, West Des Moines, IA