CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: March 9, 2015

ITEM: Westport Development Annexation, located west of Wendover Road and north of Mills Civic Parkway (approximately 63.25 acres) -Voluntary Annexation – City Initiated

Resolution - Approval of Voluntary Annexation

FINANCIAL IMPACT: Municipal services will be provided to the three properties within the annexation area. These properties are agricultural properties (including one residential dwelling), according to the Dallas County Assessor. (See Attachment A – Location Map and Attachment B, Exhibit B – Annexation Area). When the area develops, additional costs should be anticipated for these services. These costs would be offset through property taxes collected as development occurs. The property owner went through the City's pre-application process and has indicated that he intends to develop the area as single family residential soon after annexation occurs. The provision of both sanitary sewer and water is likely to be extended at the time of development by the parties proposing the development. Road improvements may be necessary to accommodate future development in this general area.

SYNOPSIS: On January 14, 2015, staff received an application for annexation from Willis VanZee, manager of Westport Development, the owner of the three properties that are the subject of this annexation request. Staff sent letters to surrounding property owners to inquire about interest in joining this annexation. As of January 30, 2015, the deadline set to receive an answer from neighboring property owners, no additional property owners indicated that they wanted to be part of the annexation. Staff has continued with processing the annexation of property as submitted.

STAFF REVIEW AND COMMENT: This annexation of property is a 100% voluntary annexation. The 10-year Annexation Moratorium Agreement between West Des Moines and Waukee, which was executed on January 10, 2007, shows this property to be within the area that West Des Moines can annex.

NOTICING INFORMATION: Notices were sent to the City of Waukee, public utilities, County Boards of Supervisors, and other entities having interest in the annexation. Notification of the March 9, 2015, City Council public hearing was published in the Des Moines Register February 20, 2015, in the central distribution area, which includes Dallas County.

RECOMMENDATION: The Development & Planning City Council Subcommittee recommends the adoption of the resolution approving the voluntary annexation of the approximately 63.25 acres as proposed. Staff recommends the approval of the resolution.

Attachments:

Attachment A - Location Map
Attachment B - Resolution
Exhibit A: Annexation Map
Exhibit B: Legal Description

Lead Staff Member: Naomi Hamlett, AICP, Planner

STAFF REVIEWS

Department Director	Clyde E. Evans, Community & Economic Development Director
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

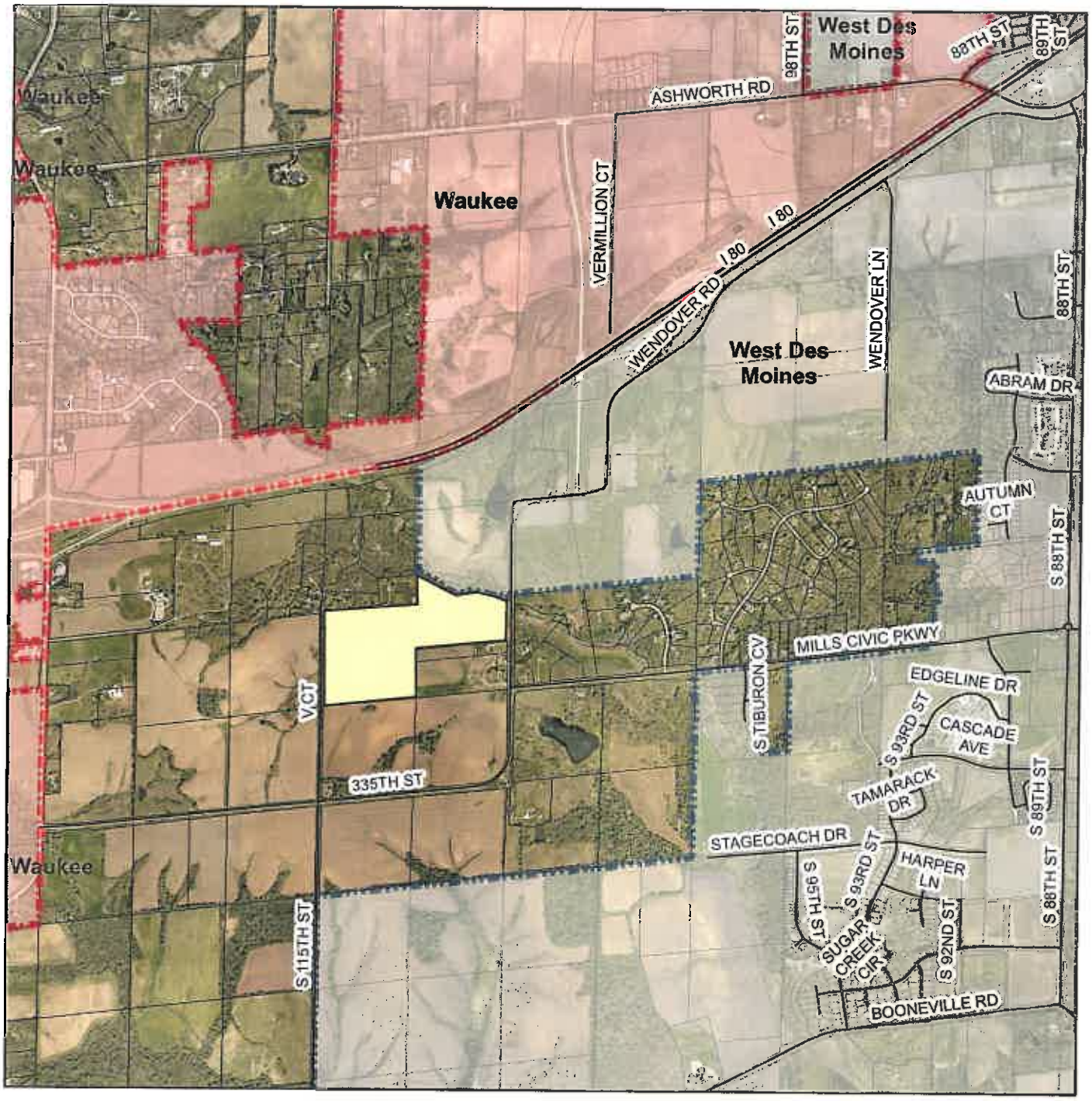
Published In	Des Moines Register	
Date(s) Published	February 20, 2015	
Letter sent to surrounding property owners		No

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	February 26, 2015		
Recommendation	Yes X	No ☐	Split ☐

ATTACHMENT A

Location Map
Westport Development Annexation



Legend

West Des Moines Corporate Limit

Waukee Corporate Limit

Area to be Annexed

No Scale

N

ATTACHMENT B

Prepared by: N Hamlett, Community & Economic Devt, PO Box 65320 West Des Moines IA 50265-0320 (515) 273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION APPROVING THE VOLUNTARY ANNEXATION OF PROPERTY

WHEREAS, the City of West Des Moines, State of Iowa, is a duly organized municipal corporation; and

WHEREAS, the City of West Des Moines, Iowa, has received an Application for Voluntary Annexation from the property owner of certain real estate under the ownership of said petitioner, located in Dallas County, Iowa, and shown on the map identified as Exhibit "A" attached hereto and made a part hereof and legally described as follows:

LEGAL DESCRIPTION

See Exhibit "B" attached hereto and made a part hereof.

WHEREAS, such property collectively adjoins the City as required by Chapter 368, Code of Iowa, 2013;

WHEREAS, all required notification has been carried out pursuant to Chapter 368, Code of Iowa, 2013; and

WHEREAS, it is in the best interests of the City and public that said property be annexed to the City of West Des Moines, at this time; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The Applications for Voluntary Annexation are hereby approved and said property shown and described in Exhibit "A" and Exhibit "B" shall be annexed to the City of West Des Moines, Iowa, in accordance with Chapter 368, Code of Iowa, 2013, and such property shall hereinafter become and be part of the City of West Des Moines, Iowa.

SECTION 2. The Mayor and City Clerk are hereby authorized and directed to prepare and execute all documents necessary for this annexation and are directed to file the same with the City Development Board as required by the Code of Iowa.

PASSED AND ADOPTED on March 9, 2015.

_____
Steven K. Gaer
Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on March 9, 2015, by the following vote:

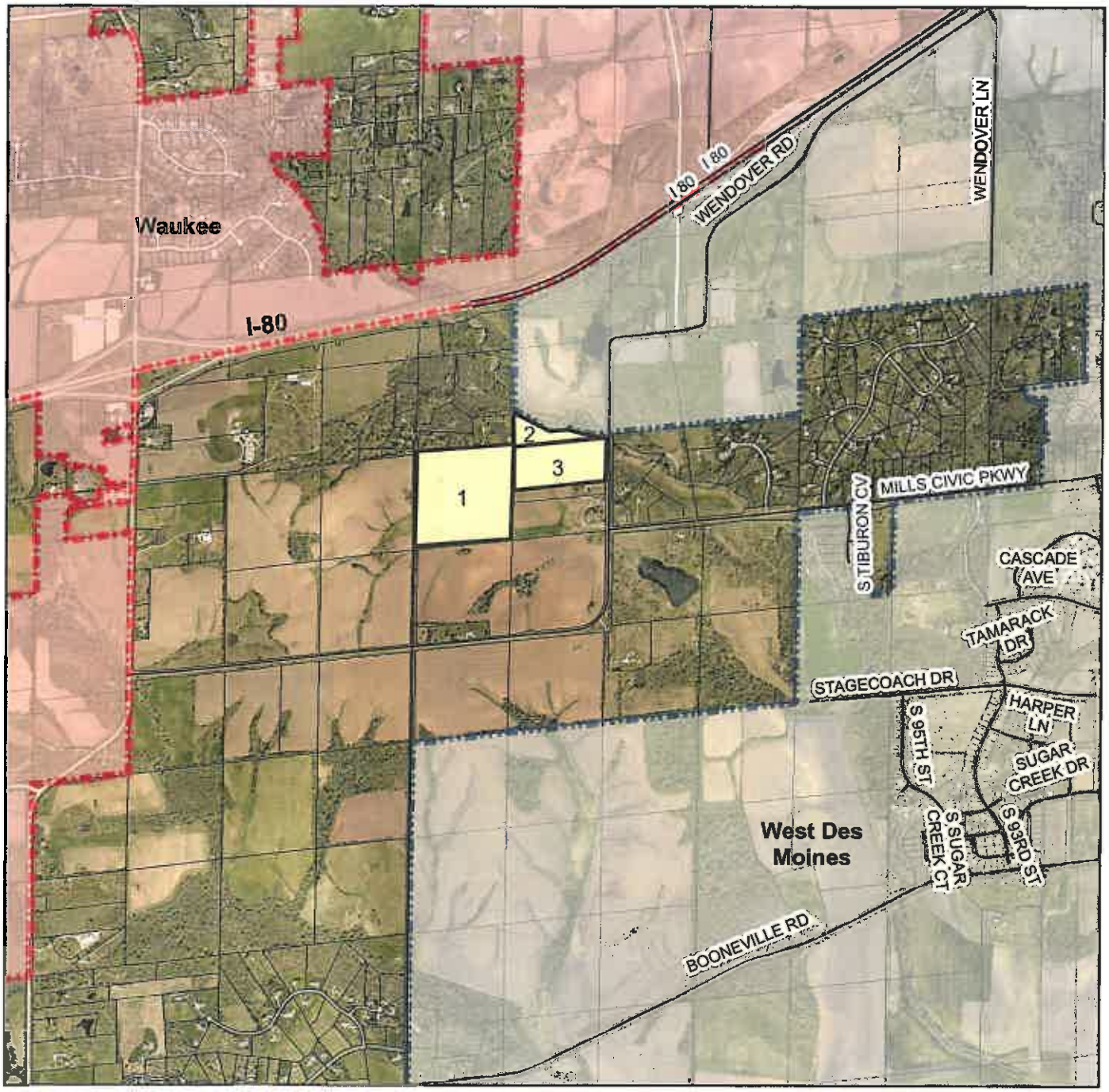
ATTEST:

_____

Ryan T. Jacobson
City Clerk

EXHIBIT A

Annexation Map
Westport Development Annexation



Legend

West Des Moines Corporate Limit

Waukee Corporate Limit

Area to be Annexed

1	PIN 16-16-100-006	Westport Development LLC
2	PIN 16-16-100-008	Westport Development LLC
3	PIN 16-16-100-009	Westport Development LLC

No Scale

N

EXHIBIT B

LEGAL DESCRIPTION
WESTPORT DEVELOPMENT ANNEXATION
CITY OF WEST DES MOINES

A TRACT OF LAND LOCATED IN SECTION 16, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA, IS INCLUDED IN AN AREA BEING PETITIONED FOR ANNEXATION INTO THE CITY OF WEST DES MOINES, IOWA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN, DALLAS COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE SOUTH, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE NORTH 01^{0} 41' WEST (ASSUMED BEARING), ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 468.0 FEET;

THENCE SOUTH 60^{0} 55' EAST (ASSUMED BEARING), A DISTANCE OF 155.8 FEET;

THENCE SOUTH 65^{0} 52' EAST (ASSUMED BEARING), A DISTANCE OF 116.0 FEET;

THENCE SOUTH 55^{0} 04' EAST (ASSUMED BEARING), A DISTANCE OF 287.3 FEET;

THENCE SOUTH 79^{0} 21' EAST (ASSUMED BEARING), A DISTANCE OF 195.0 FEET;

THENCE NORTH 63^{0} 19' EAST (ASSUMED BEARING), A DISTANCE OF 124.2 FEET;

THENCE SOUTH 74^0 09' EAST (ASSUMED BEARING), A DISTANCE OF 348.3 FEET, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16;

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, TO THE POINT OF BEGINNING.