CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: March 18, 2024

ITEM: West Bank – Vacate Existing Public Sanitary Sewer Easement and establish new sanitary sewer easement – West Bank – MaM-005517-2022

RESOLUTION: Approval of Vacation Request

Background: The property owner, West Bank, an Iowa Banking Corporation, requests approval of the vacation of a public sanitary sewer easement established across their property at 3330 Westown Parkway. The sanitary easement requested to be vacated has been replaced with a new public sanitary sewer easement which now meets requirements.

Staff Review & Comment: During the construction of the new bank headquarters at 3330 Westown Parkway, the existing public sanitary sewer easement was determined to be insufficient in width and didn't follow the location of the sewer. West Bank provided a new easement that met the standards.

Outstanding Issues: There are no outstanding issues.

Recommendation: Approve the vacation of an existing public sanitary sewer easement and approve and accept a new public sanitary sewer easement.

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Planning & Zoning Commission	n/a
City Council	March 18, 2024

Staff Report Reviews

City Council	☒ Director	☒ Legal Department
	☐ Appropriations/Finance	☐ Agenda Acceptance

Publications

Published In	Des Moines Register Community Section
Date Published	n/a

Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	n/a		
Recommendation	☐ Yes	☐ No	☐ Split

Location Illustration

Prepared by: K. Tragesser, City of West Des Moines, Development Services Dept., P.O. Box 65320, West Des Moines, IA 50265-3620, 515-222-3620
When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE REQUEST TO VACATE AN EXISTING PUBLIC SANITARY SEWER EASEMENT AND TO APPROVE AND ACCEPT A NEW SANITARY SEWER EASEMENT TO THE CITY OF WEST DES MOINES

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations, the applicant and property owner, West Bank, an Iowa Banking Corporation, requests approval of Vacation of an existing Public Sanitary Sewer Easement legally described and illustrated in attached Exhibit "B" located across the site at 3330 Westown Parkway. The applicant requests approval and acceptance of a new Public Sanitary Sewer Easement legally described and illustrated in attached Exhibit "C"; and

WHEREAS, studies and investigations were made, and staff reports, and recommendations were submitted which is made a part of this record and herein incorporated by reference; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the application for Vacation request; and

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve and accept all Easements, Agreements and other Legal Documents entered into with the City; and

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve the conveyance of all property interest to the City; and

WHEREAS, the following document(s) have been presented to the City Council for approval;

A Sanitary Sewer Easement from West Bank for property legally described on the associated documents; and

WHEREAS, it is in the best interests of the citizens of the City to approve and accept the above-described document(s).

NOW, THEREFORE, the City Council does approve the Vacation of an existing Public Sanitary Sewer Easements recorded in Polk County, Book 4063, Page 23 and Book 4075 Page 337 as part of the Major Modification to a Site Plan (MaM-005517-2022). Also, the City Council does approve and accept a new Public Sanitary Sewer Easement. Both subject to compliance with all of the conditions, including conditions added at the meeting, attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND APPROVED by the City Council on March 18, 2024.

_____
Russ Trimble, Mayor

Attest:

_____
Ryan 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 18, 2024, by the indicated vote.

Exhibit A: Conditions of Approval

None.

EXHIBIT B

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
Erin D. Griffin
SNYDER & ASSOCIATES, INC.
2727 SW SNYDER BOULEVARD
ANKENY, IOWA 50023
515-964-2020
EGRIFFIN@SNYDER-ASSOCIATES.COM

SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
PT NORTH 80 ACRES
W 1/2 NW Frl.1/4
SEC 04, 78N, 25W

REQUESTED BY:
WEST BANK

EASEMENT VACATION EXHIBIT

SANITARY EASEMENT VACATION DESCRIPTION

VACATION OF A 20.00 FOOT SANITARY SEWER EASEMENT AS RECORDED IN BOOK 4063, PAGE 23 AND BOOK 4075, PAGE 337; BEING A PART OF THE NORTH 80 ACRES OF THE WEST 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., WEST DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 2020-158 AS RECORDED IN BOOK 18238, PAGE 984 IN THE POLK COUNTY RECORDERS OFFICE; THENCE SOUTH 89°30'54" WEST, 14.34 FEET ALONG THE SOUTH LINE OF SAID NORTH 80 ACRES; THENCE NORTH 88°45'47" WEST, 116.52 FEET; THENCE NORTH 77°00'11" WEST 357.47 FEET; THENCE NORTH 77°15'22" WEST, 354.95 FEET; THENCE NORTH 89°15'44" WEST, 61.25 FEET TO THE WEST LINE OF SAID NORTH 80 ACRES; THENCE NORTH 34°13'22" WEST ALONG SAID WEST LINE, 24.40 FEET; THENCE SOUTH 89°15'44" EAST, 77.33 FEET; THENCE SOUTH 77°15'22" EAST, 357.10 FEET; THENCE SOUTH 77°00'11" EAST, 355.44 FEET; THENCE SOUTH 88°45'47" EAST, 128.27 FEET TO THE EAST LINE OF SAID NORTH 80 ACRES; THENCE SOUTH 0°16'55" EAST ALONG SAID EAST LINE, 19.58 FEET TO THE POINT OF BEGINNING.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

06/08/2022

OWNER

WEST BANK
1601 22ND STREET
WEST DES MOINES, IA 50266

LEGEND

FEATURES	FOUND	SET
Section Corner	▲	△
1/2" Rebar, Yellow Cap # 19710 w/ Yellow Plastic Cap (Unless Otherwise Noted)	●	○
ROW Marker	■	□
ROW Rail	H	H
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline		
Section Line		
1/4 Section Line		
1/4 1/4 Section Line		
Easement Line		

LICENSED PROFESSIONAL LAND SURVEYOR
ERIN D. GRIFFIN
19710
IOWA

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.

Erin D. Griffin, PLS — Date: 08/24/2023

License Number 19710

My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:
Sheets 1 and 2 of 2.

PT. NORTH 80 ACRES W1/2 NW Frl. 1/4 SEC. 04-78-25
EASEMENT VACATION EXHIBIT

SNYDER & ASSOCIATES
2727 S.W. SNYDER BLVD.
ANKENY, IA 50023 (515) 964-2020

SHEET 1 OF 2	
PN: 121.0819.01	
T-R-S:78N-25W-04	
DATE: 06/08/2022	
PM/TECH: EDG/DCG	

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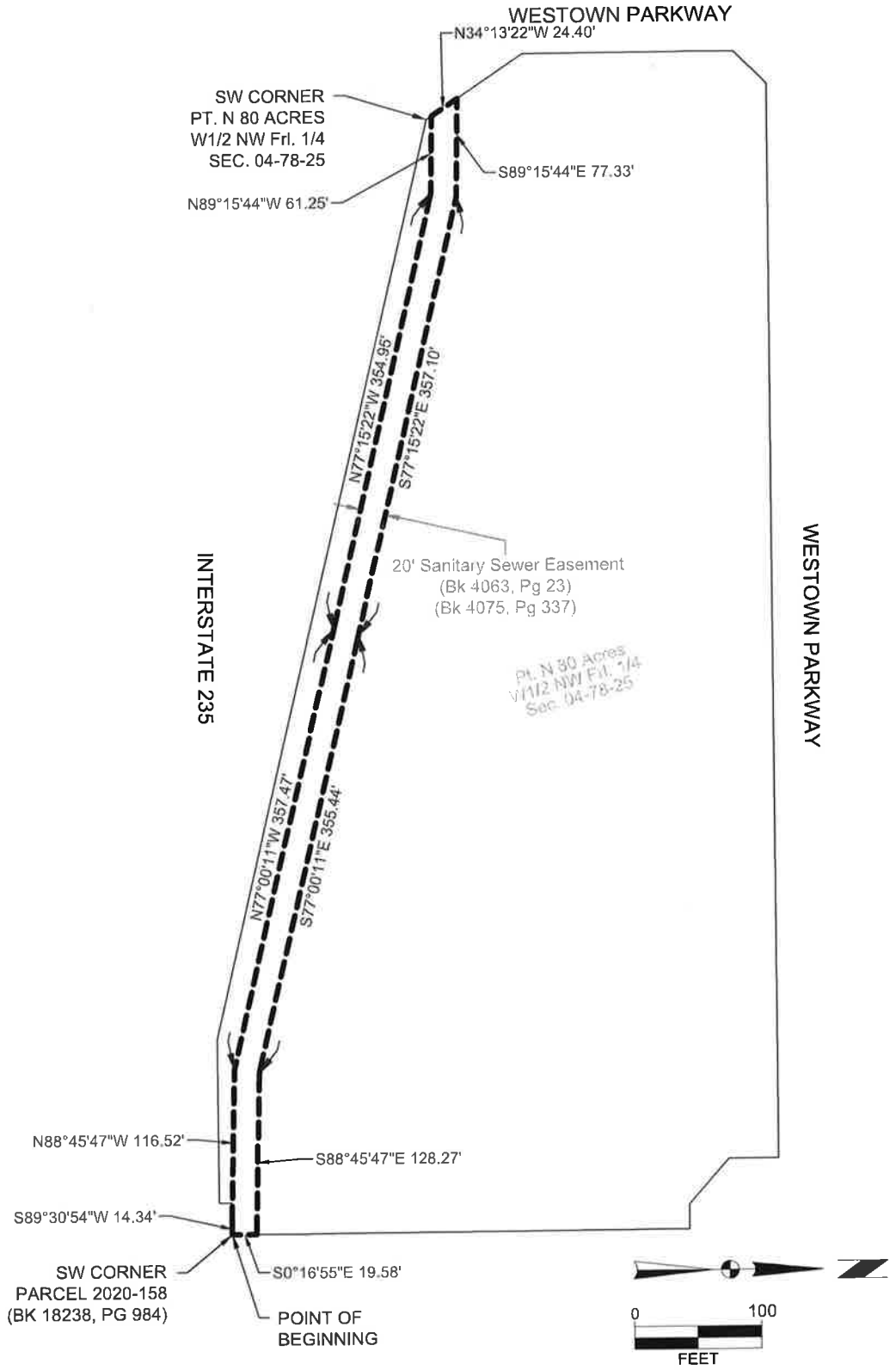
EASEMENT VACATION EXHIBIT



PT. NORTH 80 ACRES W1/2 NW Frl. 1/4 SEC. 04-78-25	SHEET 2 OF 2
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	T-R-S:78N-25W-04
SNYDER & ASSOCIATES — 2727 S.W. SNYDER BLVD. ANKENY, IA 50023 (515) 964-2020	DATE: 06/08/2022
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EGRIFFIN@SNYDER-ASSOCIATES.COM
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
PT NORTH 80 ACRES
W1/2 NW Frl. 1/4
SEC. 04, 78N, 25 W
REQUESTED BY:
WEST BANK

EASEMENT EXHIBIT

SANITARY SEWER EASEMENT DESCRIPTION

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PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

06/08/2022

OWNER

WEST BANK
1601 22ND STREET
WEST DES MOINES, IA 50266

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Calculated Distance	C	
Centerline		
Section Line		
1/4 Section Line		
1/4 1/4 Section Line		
Easement Line		

LICENSED PROFESSIONAL LAND SURVEYOR
ERIN D. GRIFFIN
19710
IOWA

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.

E.D. Griffin 08/24/2023
Erin D. Griffin, PLS Date

License Number 19710
My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:
Sheets 1 and 2 of 2.

PT. NORTH 80 ACRES W1/2 NW Frl. 1/4 SEC. 04-78-25
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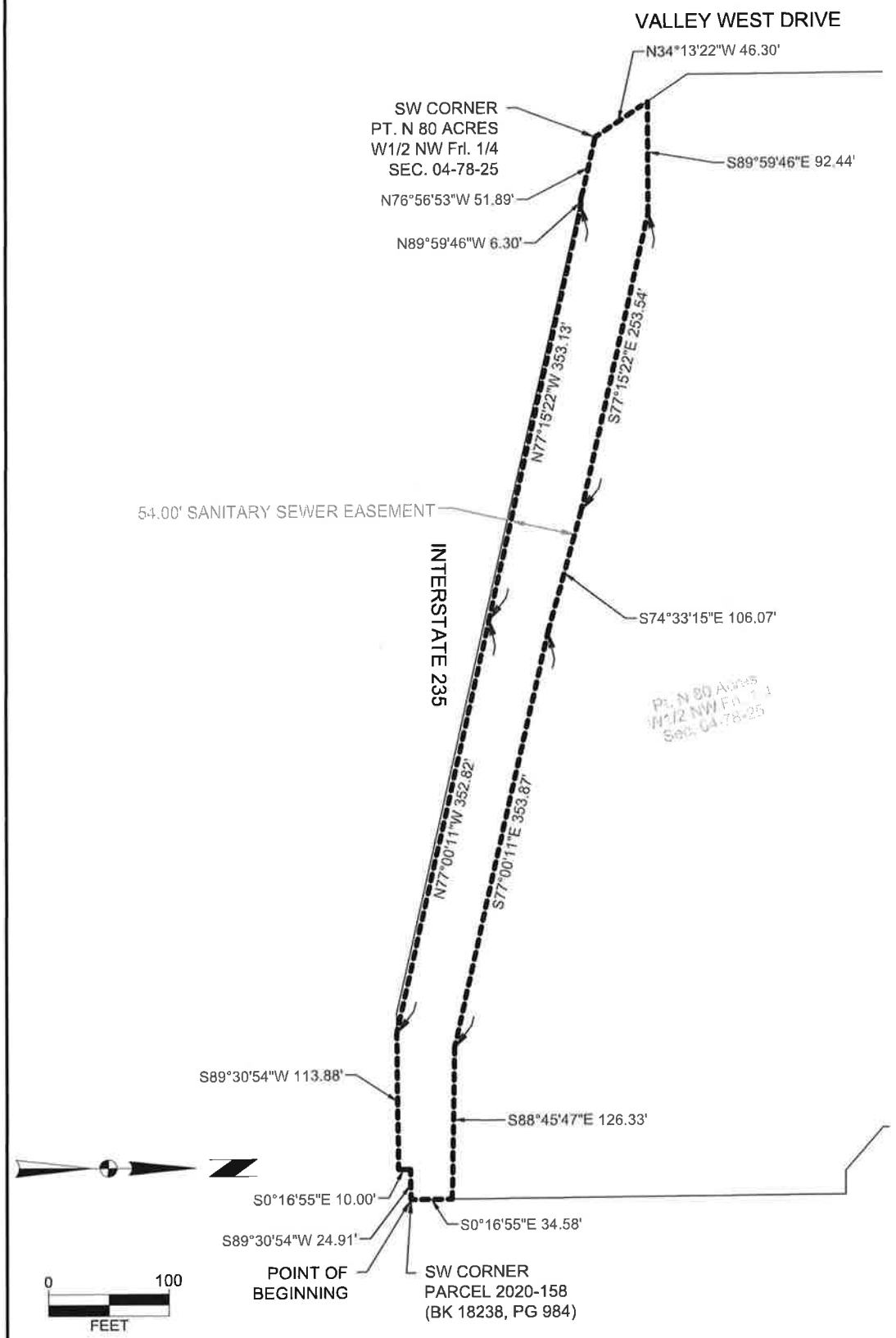
EASEMENT EXHIBIT



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