




**BUSINESS OF THE CITY COUNCIL
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5p
For Meeting of 06/15/22020

ITEM TITLE: Resolution accepting Conveyance of Real Property from MPP Partners, LLC

CONTACT PERSON: Marketa Oliver, City Administrator

SUMMARY EXPLANATION: This resolution is accepting the Warranty Deed for acquiring the right-of-way for the Street Improvement Project located near Midstates Precast. The City Council previously approved an agreement with MPP to acquire the property as part of the land needed for the SW District Infrastructure Improvements Project.

<input checked="" type="checkbox"/> Resolution _____ Ordinance _____ Contract _____ Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL _____  City Administrator

RECOMMENDATION: Approve resolution on a roll call vote.

CITY OF BONDURANT
RESOLUTION NO. 200615-177

RESOLUTION ACCEPTING CONVEYANCE OF REAL PROPERTY FROM MPP PARTNERS, LLC

WHEREAS, the City of Bondurant intends to acquire certain real property owned by MPP Partners, LLC legally described as follows:

A Parcel of land lying entirely within and forming a part of the Southwest ¼, the Northeast¼ of Section 1, Township 79 North, Range 23 West of the 5th P.M. now in and forming a part of the City of Bondurant, Polk County, Iowa, more particularly described as follows: Beginning at the center of said Section 1; thence North 00°33'39" West, along the West line of the Northeast ¼ of said Section 1, for a distance of 205 .45 feet; thence South 70°35' 13" East, for a distance of 53 .43 feet to a curve concave Southwesterly with a radius of 220.00 feet; thence along said curve for a distance of 127.48 feet, whose chord bears South 53°59'13" East with a chord length of 125.70 feet; thence South 00°35'46" East, for a distance of 112.20 feet; thence South 89°24'14" West, for a distance of 151.24 feet to the Point-of-Beginning; Containing 25,744 square feet (0.591 acres), more or less.

WHEREAS, a Warranty Deed is proposed for the purpose of the construction of the City of Bondurant Street Improvement Project; AND

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the conveyance of real property from MPP Partners, LLC, is hereby approved as presented.

Passed this 15th day of June ,2020,

By: _____
Curt Sullivan, Mayor

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Shelby Hagan, City Clerk

Council Action	Ayes	Nays	Abstain	Absent
Cox				
Peffer				
Enos				
McKenzie				
Elrod				

Prepared by: H. R. Veenstra Jr., Acting Right-of-Way Agent, 3000 Westown Parkway, West Des Moines, IA 50266

(515) 225-8000

Return to: City of Bondurant, 200 2nd Street NE, P.O. Box 37, Bondurant, IA 50035

Taxpayer: City of Bondurant, 200 2nd Street NE, P.O. Box 37, Bondurant, IA 50035

Title of Document: Warranty Deed

Grantor's Name: MPP Partners, LLC, an Iowa limited liability company

Grantee's Name: City of Bondurant, Iowa

Legal Description: See below on this page

Project Name: Project Bluejay

Parcel No.: 13

WARRANTY DEED

MPP Partners, LLC, an Iowa limited liability company, in consideration of the sum of Thirty thousand two hundred ninety and 00/100 Dollars (\$30,290.00) in hand paid does hereby CONVEY unto the City of Bondurant, Iowa, 200 2nd Street NE, P.O. Box 37, Bondurant, Iowa, the following described real estate situated in Polk County, Iowa, to-wit:

A Parcel of land lying entirely within and forming a part of the Southwest $\frac{1}{4}$, the Northeast $\frac{1}{4}$ of Section 1, Township 79 North, Range 23 West of the 5th P.M. now in and forming a part of the City of Bondurant, Polk County, Iowa, more particularly described as follows: Beginning at the center of said Section 1; thence North $00^{\circ}33'39''$ West, along the West line of the Northeast $\frac{1}{4}$ of said Section 1, for a distance of 205.45 feet; thence South $70^{\circ}35'13''$ East, for a distance of 53.43 feet to a curve concave Southwesterly with a radius of 220.00 feet; thence along said curve for a distance of 127.48 feet, whose chord bears South $53^{\circ}59'13''$ East with a chord length of 125.70 feet; thence South $00^{\circ}35'46''$ East, for a distance of 112.20 feet; thence South $89^{\circ}24'14''$ West, for a distance of 151.24 feet to the Point-of-Beginning;

Containing 25,744 square feet (0.591 acres), more or less.

Subject to easements, restrictions and covenants of record, if any.

And the grantors do **Hereby Covenant** with the said grantees, and successors in interest, that said grantors hold said real estate by title in fee simple; that they have good and lawful authority to sell and convey the same; that said premises are **Free and Clear of all Liens and Encumbrances Whatsoever** except as may be above stated; and said grantors Covenant to **Warrant and Defend** the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

Index Legend	
City:	Bondurant
County:	Ex: Polk County
Geoparcels ID:	Ex: 7923.01.200.002
Description:	Ex: SW, NE Section 1, T79N, R23W
Proprietor:	Ex: MPP Partners, LLC
Surveyor:	MURRAY B. BERTING
Company:	SHIVE-HATTERY INC
Return To:	4125 WESTOWN PARKWAY, SUITE 100 WEST DES MOINES, IA 50266, 515-223-8104

ACQUISITION PLAT

EXHIBIT P13-F01

RIGHT-OF-WAY BEING CONVEYED TO THE CITY OF BONDURANT
STREET IMPROVEMENT PROJECT

PROPERTY OWNER:

MPP PARTNERS, LLC
9550 HICKMAN RD, SUITE 100
CLIVE, IA 50325

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE SOUTHWEST 1/4, THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. NOW IN AND FORMING A PART OF THE CITY OF BONDURANT, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 1;

THENCE NORTH 00°33'39" WEST, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, FOR A DISTANCE OF 205.45 FEET;

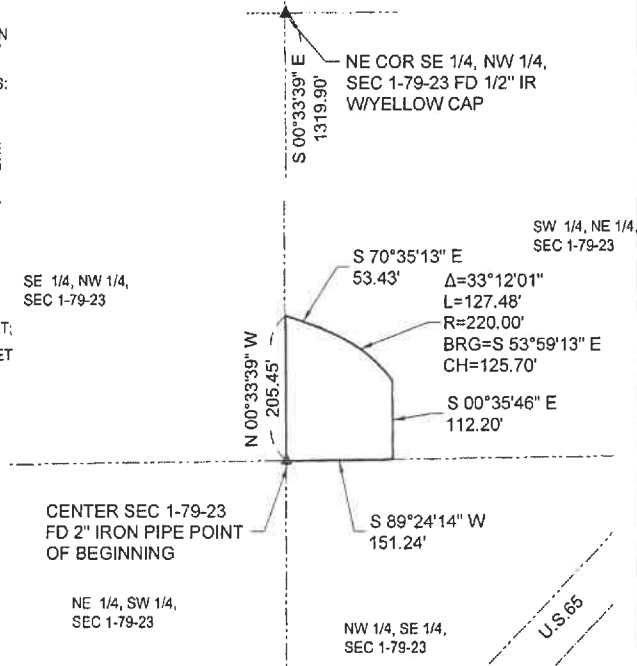
THENCE SOUTH 70°35'13" EAST, FOR A DISTANCE OF 53.43 FEET TO A CURVE CONCAVE SOUTHWESTERLY WITH RADIUS OF 220.00 FEET;

THENCE ALONG SAID CURVE FOR A DISTANCE OF 127.48 FEET, WHOSE CHORD BEARS SOUTH 53°59'13" EAST WITH A CHORD LENGTH OF 125.70 FEET;

THENCE SOUTH 00°35'46" EAST, FOR A DISTANCE OF 112.20 FEET;

THENCE SOUTH 89°24'14" WEST, FOR A DISTANCE OF 151.24 FEET TO THE POINT-OF-BEGINNING;

CONTAINING 25,744 SQ. FT. (0.591 ACRES) MORE OR LESS.



CENTER SEC 1-79-23
FD 2" IRON PIPE POINT
OF BEGINNING

NE 1/4, NW 1/4,
SEC 1-79-23

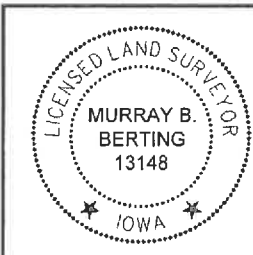
NW 1/4, SE 1/4,
SEC 1-79-23



SCALE IN FEET
FIELD SURVEY COMPLETED: OCTOBER 2019

LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- △ SET SECTION CORNER MONUMENT
- MONUMENT FOUND AS NOTED
- SET 5/8" REROD W/YELLOW CAP#13148
- (M) MEASURED DIMENSION
- (R) RECORDED DIMENSION
- SECTION LINE
- RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- PROPERTY LINE
- TEMPORARY CONSTRUCTION EASEMENT



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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Signature: *Murray B. Berting* Date: 12-23-2019

Printed or typed name: MURRAY B. BERTING
License Number: 13148
My License Renewal Date is: DECEMBER 31, 2020

PAGES, SHEETS OR DIVISIONS COVERED BY THIS SEAL:
1 OF 1

SURVEY FOR:
CITY OF BONDURANT
PO BOX 37
BONDURANT, IA 50035

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
4125 Westown Pkwy, Suite 100 | West Des Moines, Iowa 50266
515.223.8104 | www.shive-hattery.com
Iowa | Illinois | Indiana

SHEET
1 OF 1

SHIVE-HATTERY PROJECT NO 4193930 DATE:12-23-2019

