



DES MOINES WATER WORKS
Board of Water Works Trustees

Agenda Item No. III-J
Meeting Date: November 28, 2017
Chairperson's Signature Yes No

AGENDA ITEM FORM

SUBJECT: Convey Ownership of NW Beaver Connection Facilities and Water Main Capacity to the City of Johnston, Iowa

SUMMARY:

- DMWW and the City of Johnston entered into a 28E Agreement on August 4, 2014, for the installation of a new shared feeder main from the Saylorville Water Treatment Plant to NW 62nd Avenue and NW Beaver Drive, a 16-inch connection, and a meter pit at NW 62nd Avenue and NW Beaver Drive to Johnston.
- This agreement divided up financial responsibilities and ownership, and provided for transferring ownership of facilities and capacity.
- All provisions of ownership in the 28E Agreement have been met by the City of Johnston.
- DMWW is fulfilling its requirements of the 28E Agreement by conveying ownership for connection facilities at NW 62nd Avenue and NW Beaver Drive and up to 3,000 gallons per minute (gpm) water flow through this connection.

FISCAL IMPACT:

There is no fiscal impact related to this Board action.

RECOMMENDED ACTION:

Approve the Conveyance of Ownership of Connection Facilities and Water Main Capacity and authorize the Chairperson and CEO and General Manager to execute the Conveyance of Ownership.

BOARD REQUIRED ACTION:

Motion to approve the Conveyance of Ownership of Connection Facilities and Water Main Capacity and authorize the Chairperson and CEO and General Manager to execute the Conveyance of Ownership.

_____/_____ Engineering Services Manager	_____/_____ Danny J. Klopfer, P.E. (date) Engineering Services Manager	_____/_____ William G. Stowe (date) CEO and General Manager
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Conveyance of Ownership of Connection Facilities and Water Main Capacity

The Board of Water Works Trustees of the City of Des Moines, Iowa (hereafter "DMWW"), as outlined in 28E Agreement between DMWW and City of Johnston, Iowa (hereafter the "City") entered into on August 4, 2014, acknowledges receipt of payment for connection facilities and capacity in DMWW facilities and hereby conveys the following to the City:

- 1) NW Beaver Connection Facilities as constructed under the above 28E Agreement consisting of a meter pit, approximately 100 linear feet of 16-inch diameter water main and fittings connecting the 30-inch portion of DMWW's water main to Johnston's 12-inch water main at NW 62nd Avenue and NW Beaver Drive.
- 2) The right to use up to 3,000 gallons per minute of water, as provided in the above 28E Agreement, through the NW 62nd Avenue and NW Beaver Drive connection.

DMWW warrants that the title of facilities are free from any encumbrances or liens, but makes no other warranties whatsoever, it being the parties' intention that the facilities are being conveyed "as is" with all faults and in place.

Dated this _____ day of _____, 2017.

BOARD OF WATER WORKS TRUSTEES
OF THE CITY OF DES MOINES, IOWA

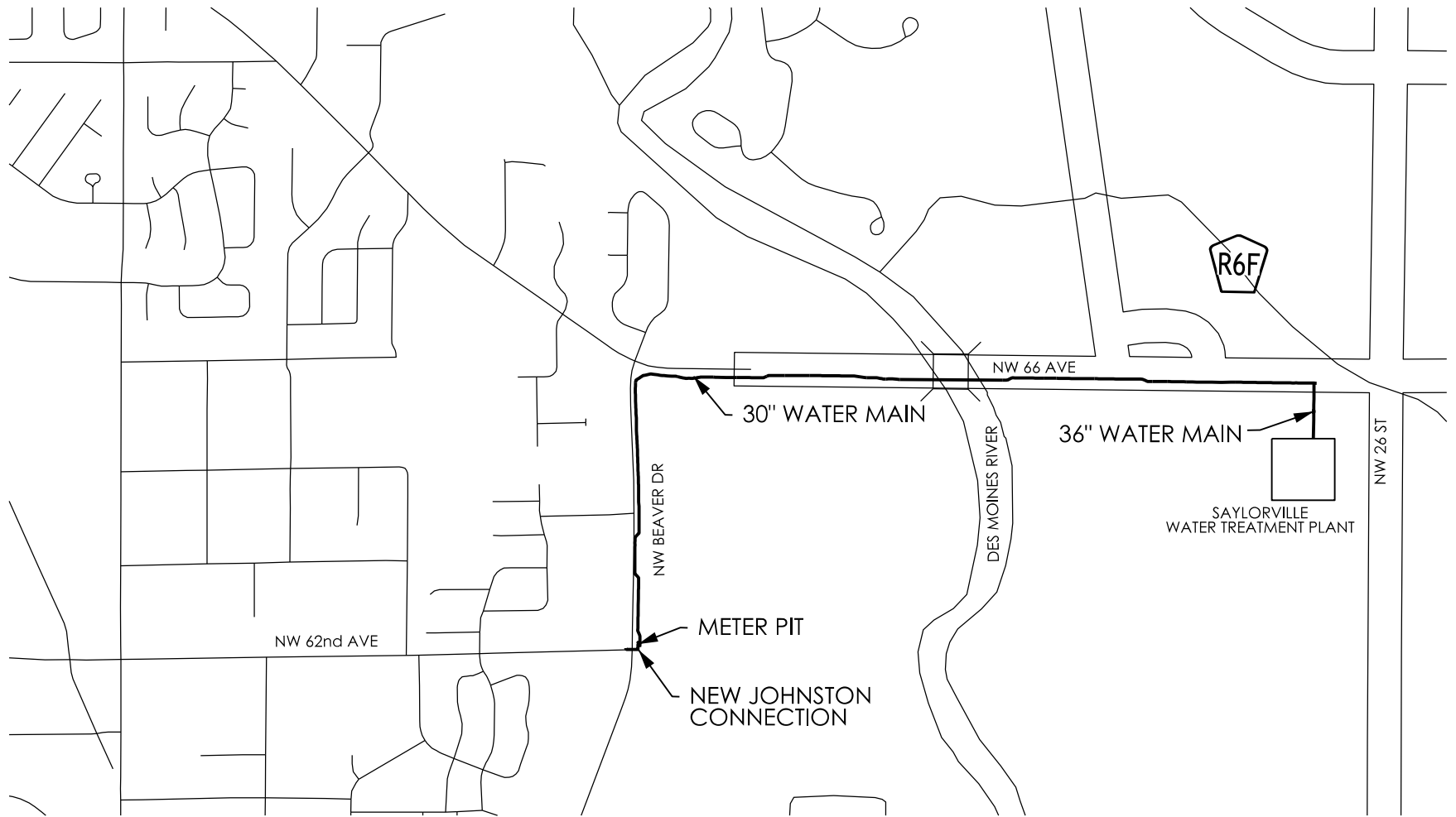
By: _____
Susan R. Huppert, Board Chairperson

Attest: _____
William G. Stowe, CEO and General Manager

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this _____ day of _____, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Susan R. Huppert and William G. Stowe, to me personally known, and, who being by me duly sworn, did say that they are the Board Chairperson and the Chief Executive Officer and General Manager of the BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES, IOWA, that no seal has been procured by the entity; that the instrument was signed on behalf of the entity by authority of its Board as contained in the resolution adopted by the Board on the ____ day of _____, 2017, and that Susan R. Huppert and William G. Stowe acknowledged the execution of the instrument to be the voluntary act and deed of the BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES, IOWA, by it and by them voluntarily executed.

Notary Public in and for Polk County, Iowa



Des Moines
Water Works
Water You Can Trust for Life
ENGINEERING DEPARTMENT
Des Moines, Iowa

CONVEY OWNERSHIP OF
NW BEAVER CONNECTION FACILITIES
& WATER MAIN CAPACITY TO
THE CITY OF JOHNSTON