

**SAYDEL COMMUNITY SCHOOL DISTRICT**  
5740 NE 14<sup>th</sup> STREET  
DES MOINES, IA 50313

**SPECIAL BOARD MEETING MINUTES**

**6:00 PM**

Saydel District Office Boardroom

May 19, 2014

- I. Call the Meeting to Order – Meeting called to order by Board Secretary, Jane Prange at 6:00 PM.
- A. Nomination/Election of Pro Tem/Oath of Office – Board Secretary called for the nomination of a Pro Tem President. Ray Livingston nominated Melissa Sassman. Seeing no other nominations – the vote was 5/0 in favor  
Melissa Sassman was given the oath of office for Board President Pro Tem by Jane Prange, Board Secretary
- B. Roll Call – Ray Livingston, Kyle Prendergast, Rob Stephenson, Henry Wood, Melissa Sassman – present. Brian Bowman and Paul Breitbarth - absent
- C. Approve the Agenda – Motion to approve the agenda by Henry Wood, seconded by Kyle Prendergast. Motion carried 5/0.

II. Discussion/Action Items

A. Contracts and Agreements

1. Settlement Agreement - Motion to approve by Henry Wood, seconded by Ray Livingston. Motion carried 5/0.

The district is in agreement with Robert Stephenson on behalf of himself to enter into a Settlement Agreement, General Release and Covenant Not to Sue the Saydel School District. All parties desire to settle all potential outstanding issues between them, whether the subject of the Petition (Temporary Injunction) or otherwise, on an amicable basis on the terms and conditions stated in the Agreement.

The Superintendent has reviewed the settlement and recommends approval of this Settlement Agreement and General Release.

2. Resolution/Sale of Property to Polk County – Motion to approve by Rob Stephenson, seconded by Henry Wood. Motion carried 5/0.

**WHEREAS**, the Board of Directors of the Saydel Community School District (the "District") has received a proposal to convey certain of its land by deed and easements to Polk County, Iowa for \$87,610 for the purpose of drainage and flood control. The areas to be conveyed by deed are legally described as:

A PART OF THE SOUTH 15 ACRES OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH

P.M., NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 89°59' 19" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 11, A DISTANCE OF 1673.32 FEET; THENCE NORTH 00°11' 01" WEST, 33.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND BEING DESCRIBED IN BOOK 4945 ON PAGE 249 AT THE POLK COUNTY RECORDER'S OFFICE AND TO THE POINT OF BEGINNING; THENCE SOUTH 89°59' 19" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF NE 54TH AVENUE, 729.03 FEET; THENCE NORTH 00°00' 41" WEST, 68.27 FEET; THENCE NORTH 46°55' 46" EAST, 119.60 FEET; THENCE NORTH 89°59' 19" EAST, 641.20 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND BEING DESCRIBED IN SAID BOOK 4945 ON PAGE 249; THENCE SOUTH 00°11' 01" EAST ALONG THE WEST LINE OF SAID PARCEL OF LAND, 149.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.43 ACRES (105702 S.F.).

AND

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, FREEMANS PLACE, AN OFFICIAL PLAT; THENCE NORTH 89°49' 38" WEST, 50.00 FEET; THENCE NORTH 00°11' 06" WEST, 346.00 FEET; THENCE SOUTH 89°50' 17" EAST, 50.00 FEET TO THE EAST LINE OF SAID NORTH 25 ACRES; THENCE SOUTH 00°11' 06" EAST ALONG SAID EAST LINE, 346.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.40 ACRES (17,300 S.F.).

The three temporary easement areas are described as:

A PART OF THE SOUTH 15 ACRES OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 89° 59' 19" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 11, A DISTANCE OF 1673.32 FEET; THENCE NORTH 00° 11' 01" WEST, 182.93 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND BEING DESCRIBED IN BOOK 4945 ON PAGE 249 AT THE POLK COUNTY RECORDER'S OFFICE AND TO THE POINT OF BEGINNING; THENCE SOUTH 89° 59' 19" WEST, 641.20 FEET; THENCE SOUTH 46° 55' 46" WEST, 119.60 FEET; THENCE SOUTH 00° 00' 41" EAST, 68.27 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NE 54TH AVENUE; THENCE SOUTH 89° 59' 19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 175.05 FEET; THENCE NORTH 00° 03' 01" WEST, 40.00 FEET; THENCE NORTH 89° 59' 19" EAST, 108.21 FEET; THENCE NORTH 46° 55' 46" EAST, 267.17 FEET; THENCE SOUTH 85° 29' 17" EAST, 602.05 FEET; THENCE SOUTH 00° 11' 01" EAST, 25.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES (43520 S.F.).

and

A PART OF THE NORTH 25 ACRES OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, FREEMANS PLACE AN OFFICIAL PLAT; THENCE SOUTH 00° 03' 59" EAST ALONG THE EAST LINE THE NORTH 25 ACRES OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, 190.36 FEET; THENCE NORTH 89° 49' 27" WEST, 20.00 FEET; THENCE NORTH 00° 03' 59" WEST, 190.35 FEET; THENCE SOUTH 89° 49' 38" EAST, 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.09 ACRES (3789 S.F.).

and

A PART OF THE NORTH 25 ACRES OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, FREEMANS PLACE, AN OFFICIAL PLAT; THENCE NORTH 89° 49' 38" WEST, 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89° 49' 38" WEST, 15.00 FEET; THENCE NORTH 00° 11' 06" WEST, 396.00 FEET; THENCE SOUTH 89° 50' 17" EAST, 65.00 FEET TO THE EAST LINE OF SAID NORTH 25 ACRES OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE SOUTH 00° 11' 06" EAST ALONG SAID EAST LINE, 50.00 FEET; THENCE NORTH 89° 50' 17" WEST, 50.00 FEET; THENCE SOUTH 00° 11' 06" EAST, 346.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.19 ACRES (8,440 S.F.).

The permanent access easement is described as:

THAT PORTION OF THE SAYDEL COMMUNITY SCHOOL DISTRICT PROPERTY LOCATED IN THE NW 1/4 OF THE SE 1/4 AND IN THE NE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 11, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M. NOW FORMING A PART OF POLK COUNTY, IOWA AND LOCALLY KNOWN AS 5601 NE 7th STREET AND 5810 NE 14TH STREET, DES MOINES, IOWA TO ACQUIRE ACCESS TO POLK COUNTY, IOWA HAMILTON DRAIN FLOOD CONTROL IMPROVEMENTS BASIN 2B.

The land being conveyed to the county is for flood control improvements and is generally located as follows: The 2.43 acres is on the south side of the Saydel High School property (located at 5601 NE 7<sup>th</sup> Street, Des Moines, IA) and the .4 acres is on the east side of the that same high school property. The three temporary construction easements are located near the two purchased properties and will allow for construction activities on those properties. The permanent access easement is for a roadway to allow the county access through school district property as necessary to reach a flood control basin. The roadway will run from behind Woodside Middle

