

Date March 24, 2008

Disposition – MidAmerican Energy Company: Page 1

HOLD HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PORTION OF MARTIN LUTHER KING JR. PARK TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, MidAmerican Energy Company requires an Underground Electric Line Easement across a portion of Martin Luther King Jr. Park to provide electric service to a new shelter house constructed on the property; and

WHEREAS, on March 10, 2008, by Roll Call No. 08- 388, it was duly resolved by the City Council that the proposed conveyance of an Underground Electric Line Easement across a portion of Martin Luther King Jr. Park be set down for hearing on March 24, 2008, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in this proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed conveyance of this easement, as described below, are hereby overruled and the hearing is closed.
2. There is no public need for the property described below and the public would not be inconvenienced by reason of the conveyance of this easement across a portion of Martin Luther King Jr. Park, more specifically described as follows:

An underground electric line easement being 10.0 feet wide in Lots 138 and 184 Witmer and Welch, an Official Plat of the South 50.0 acres of the East ½ of the Southwest ¼ of Section 36, Township 79 North, Range 24 West of the 5th P.M., and the vacated North/South alley adjoining said Lots 138 and 184 of said Official Plat, the center line of said easement being 5.0 feet on each side of the following described line: Commencing at a point on the Northwest corner of Garfield Avenue and the West right-of-way line of East 17th Street; thence North along the West right-of-way line of East 17th Street 100.0 feet; thence West 5.0 feet to the point of beginning; thence North along a line 5.0 feet West of and parallel with the West right-of-way line of East 17th Street 85.0 feet; thence West 225.0 feet to the point of terminus, or at a pad mount transformer. All now included in and forming a part of the City of Des Moines, Polk County, Iowa.

DESCRIPTION REVIEWED
3/25/08
11:11

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3. That the granting of such easement to MidAmerican Energy Company for \$1 is hereby approved.
4. The Mayor is authorized and directed to sign the Underground Electric Line Easement for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this Easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
6. The Real Estate Division Manager is authorized and directed to forward the original of the Easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Easement and copies of the other documents to the grantee.
8. There will be no proceeds associated with the conveyance of this Electric Line Easement.

★ Roll Call Number

Agenda Item Number

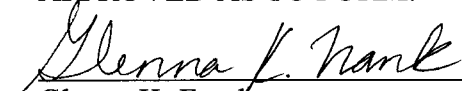
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Moved by _____ to adopt.

APPROVED AS TO FORM:



 Glenna K. Frank
 Assistant City Attorney

su

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

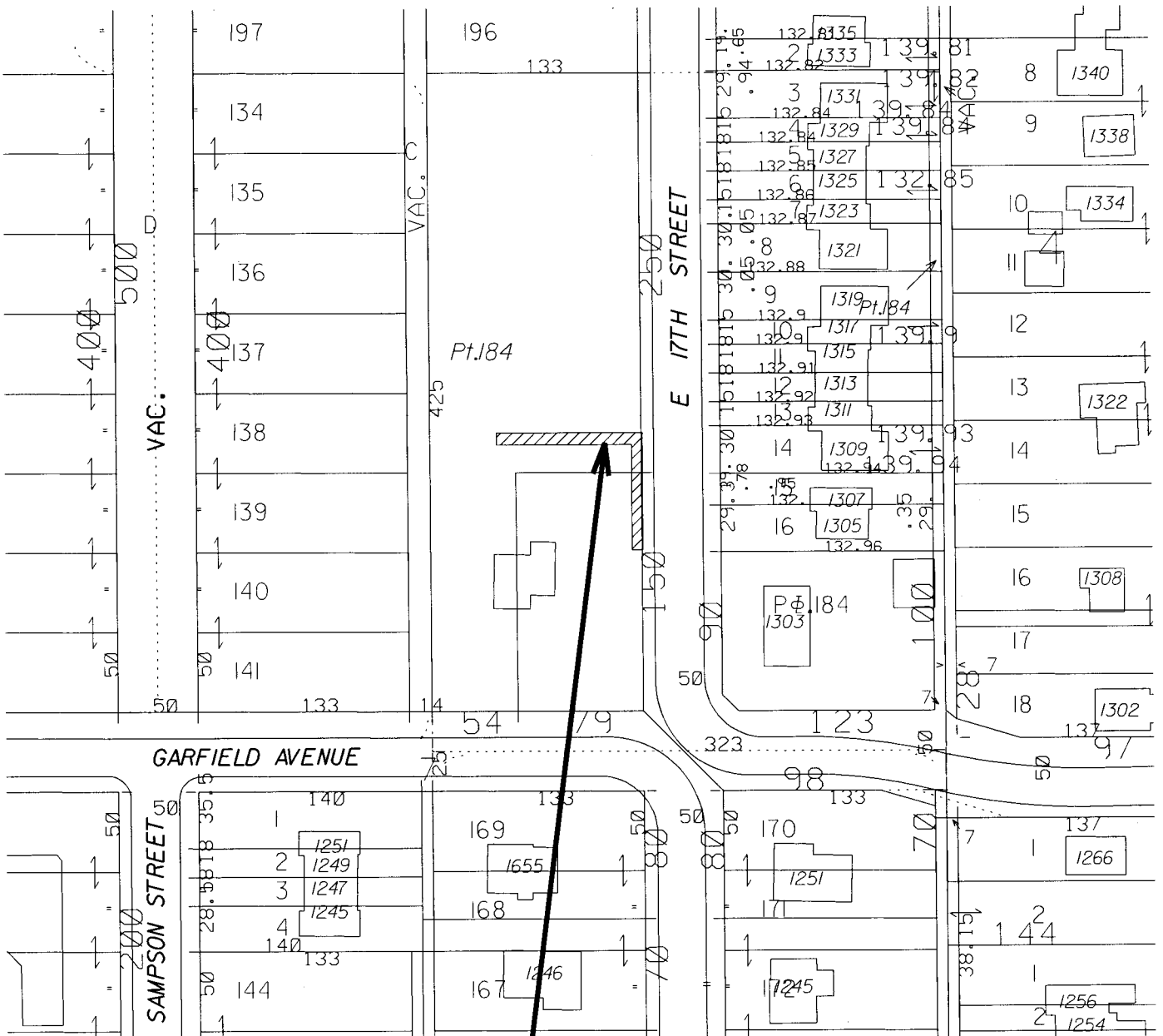
 Mayor

CERTIFICATE

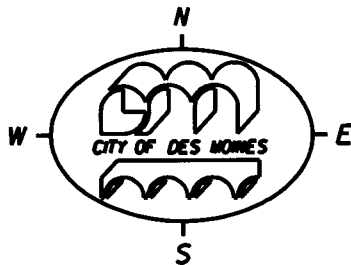
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

 City Clerk



**PROJECT
LOCATION**



**GENERAL DISPOSITION
MIDAMERICAN ENERGY
ELECTRIC LINE EASEMENT
ACT. I.D. 34-2008-030**