

Date April 10, 2006

SET HEARING TO GRANT A LICENSE AGREEMENT TO EDMUNDSON ART FOUNDATION, INC., D/B/A THE DES MOINES ART CENTER, FOR INSTALLATION OF UNDERGROUND FIBER OPTIC CABLE FROM THE DES MOINES ART CENTER ACROSS GREENWOOD PARK IN ORDER TO INSTALL AND USE UP TO TWO VIDEO CAMERAS ON A POLE TO BE INSTALLED NEAR GREENWOOD POND FOR \$420.00

WHEREAS, Edmundson Art Foundation, d/b/a the Des Moines Art Center desires to install underground fiber optic cable from the Des Moines Art Center across the below described area of City-owned Greenwood Park located at 45th Street and Grand Avenue in order to install and use up to two video cameras on a pole to be installed near the Greenwood Pond.

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

- 1. The City Council of the City of Des Moines, Iowa proposes to grant a License Agreement for the term of 20 years for the installation, use and maintenance of such cable, pole and cameras on the following described property in Greenwood Park, more specifically described and for the consideration identified below:

To: Edmundson Art Foundation, Inc., d/b/a the Des Moines Art Center

For: \$420.00

DESCRIPTION APPROVED [Signature] 04/10/06 09:45

A 10' wide underground fiber optic cable license across part of the W 1/2 of the NE 1/4 of Section 12, Township 78 North, Range 25 West of the 5th P.M., City of Des Moines, Polk County, Iowa, said license centerline is described as follows: Commencing at the N 1/4 corner of said Section 12; thence (Assumed Bearing) N90°00'E, 804.84 feet; thence S00°00'E 463.00 feet to the Point of Beginning; thence S22°23'E, 78.44 feet; thence S08°31'E, 195.00 feet; thence S18°59'E, 49.00 feet; thence S00°52'W, 48.00 feet; thence S13°17'W, 94.00 feet; thence S04°22'W, 131.00 feet; thence S28°33'W, 151.00 feet; thence S15°20'W, 99.00 feet; thence S05°40'W, 76.00 feet; thence S18°02'W, 36.00 feet; thence S21°39'W, 137.00 feet; thence S09°35'W, 112.00 feet; thence S72°00'W, 74.00 feet; thence S39°12'W, 71.00 feet; thence S13°27'W, 129.00 feet; thence S09°00'E, 88.00 feet to the end of license, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

- 2. A public hearing shall be held on April 24, 2006 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.



Roll Call Number

Agenda Item Number

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Dispositions – Des Moines Art Center

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- 3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with code section 362.3 of the Iowa Code.
- 4. The proceeds from the conveyance of this License Agreement shall be deposited into the following account: 2006-2007 Operating Budget: Special Revenue Funds – Property Maintenance SP767, PKS161625, Page 310.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
BROOKS				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

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.

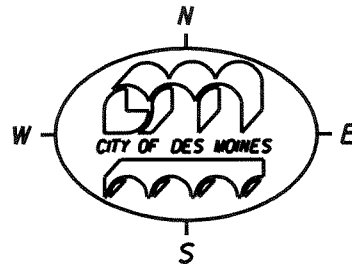
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk



**EASEMENT
LOCATION**



**GREENWOOD PARK
CABLE EASEMENT
ACTIVITY I.D. 34-2006-035**