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Date April 23, 2007.....

**HOLD HEARING FOR THE CONVEYANCE OF AN OVERHEAD ELECTRIC LINE EASEMENT
ACROSS CITY-OWNED PROPERTY ADJOINING 5701 PARK AVENUE TO MIDAMERICAN
ENERGY COMPANY FOR \$1**

WHEREAS, MidAmerican Energy Company requires an Overhead Electric Line Easement across City-owned property for an existing electrical supply line that provides service to the adjoining property at 5701 Park Avenue; and

WHEREAS, on April 12, 2007, by Roll Call No. 07-641, it was duly resolved by the City Council that the proposed granting of an Overhead Electric Line Easement across City-owned property adjoining 5701 Park Avenue be set down for hearing on April 23, 2007, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to grant the Overhead Electric Line Easement across City-owned 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 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 easement across this property adjoining 5701 Park Avenue, more specifically described as follows:

A 25.00 FOOT WIDE OVERHEAD ELECTRIC LINE EASEMENT OVER AND ACROSS A PORTION OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

THE NORTH 25.00 FEET OF THE EAST 1512.50 FEET OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 14, EXCEPT THE EAST 507.50 FEET THEREOF. (SAID EASEMENT CONTAINS 25,133 SQUARE FEET.)

AND

THE WEST 25.00 FEET OF THE EAST 532.50 FEET OF THE SOUTH 105.00 FEET OF THE NORTH 130.00 FEET OF THE SOUTH ONE-HALF OF THE SOUTHEAST

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Date April 23, 2007.....

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QUARTER OF SAID SECTION 14. (SAID EASEMENT CONTAINS 2,625 SQUARE FEET.)

3. That the granting of such easement to MidAmerican Energy Company for \$1 be and is hereby approved.
4. The Mayor is authorized and directed to sign the Overhead Electric Line Easement 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 grantees.
8. There will be no proceeds associated with the conveyance of this Overhead Electric Line Easement.

★ Roll Call Number

Agenda Item Number

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(Council Communication No.)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

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

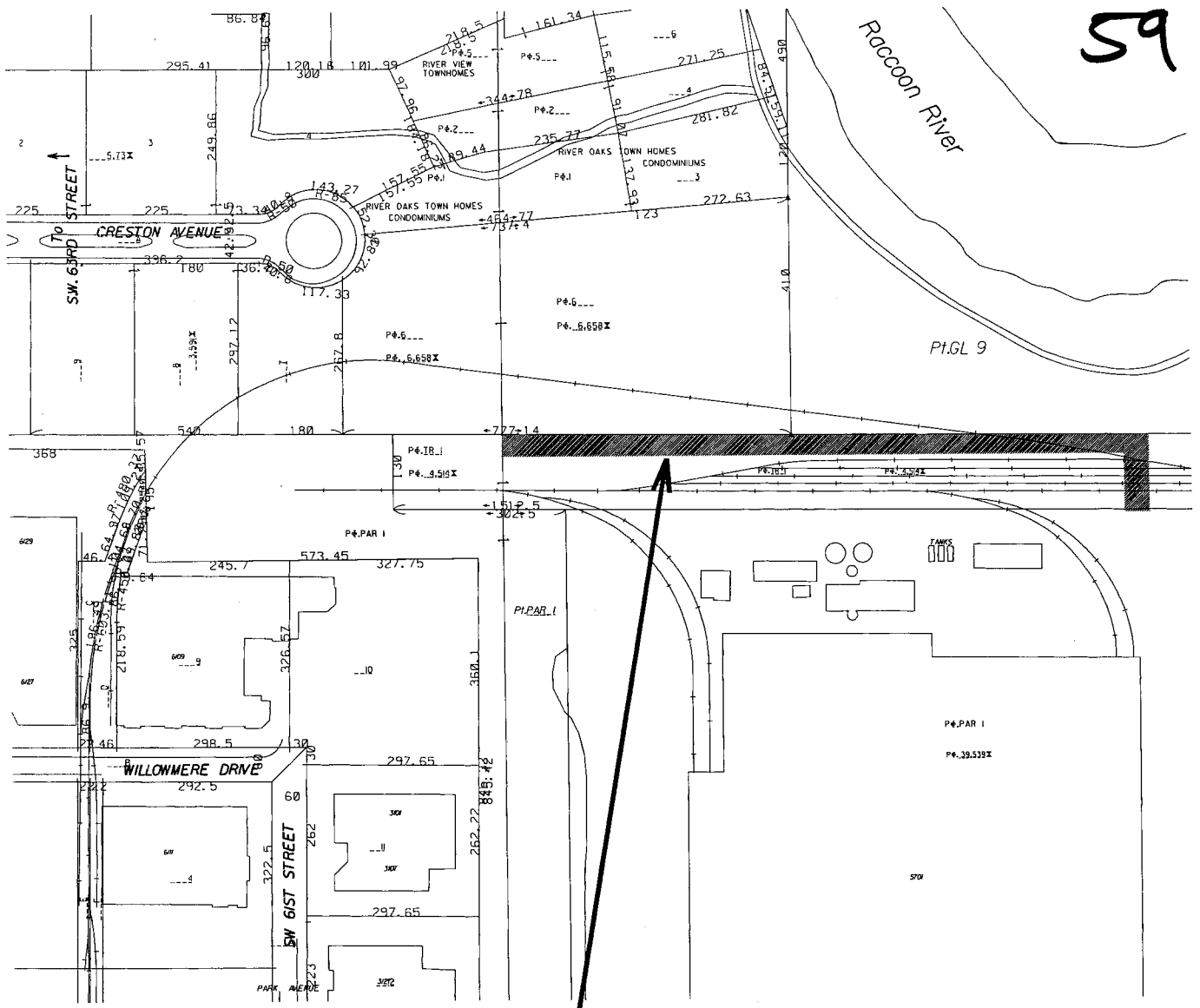
CERTIFICATE

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.

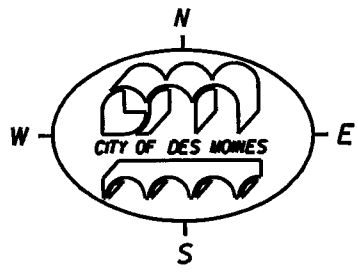
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

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**PROPERTY
LOCATION**



**PROPERTY DISPOSITION
MIDAMERICAN OVERHEAD
ELECTRIC LINE EASEMENT
ACTIVITY I.D. 34-2007-040**