

Date August 25, 2008

HOLD HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT ACROSS CITY-OWNED PROPERTY WEST OF KEN GRANDQUIST DRIVE FOR THE MIRACLE BALL FIELD TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, MidAmerican Energy Company has requested an underground electric line easement across City-owned property west of Ken Grandquist Drive to provide electric service for the Miracle Ball Field; and

WHEREAS, on August 11, 2008, by Roll Call No. 08- 1418, it was duly resolved by the City Council that the proposed conveyance of an underground electric line easement across City-owned property west of Ken Grandquist Drive be set down for hearing on August 25, 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 City-owned property west of Ken Grandquist Drive, more specifically described as follows:

An underground electric easement 10 feet wide by approximately 65 feet long situated in the following property:

Part of Lot 11, Factory Addition, an Official Plat, lying easterly of the East line of the right-of-way of the Des Moines Terminal Company across said Lot 11, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the sale and conveyance of such easement to MidAmerican Energy Company for \$1 be and 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.

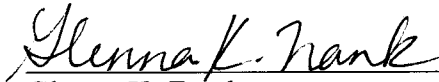
DESCRIPTION REVIEWED
8/25/08 10:28 AM
[Signature]

Date August 25, 2008

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 underground electric line easement.

Moved by _____ to adopt.

APPROVED AS TO FORM:


 Glenna K. Frank
 Assistant City Attorney

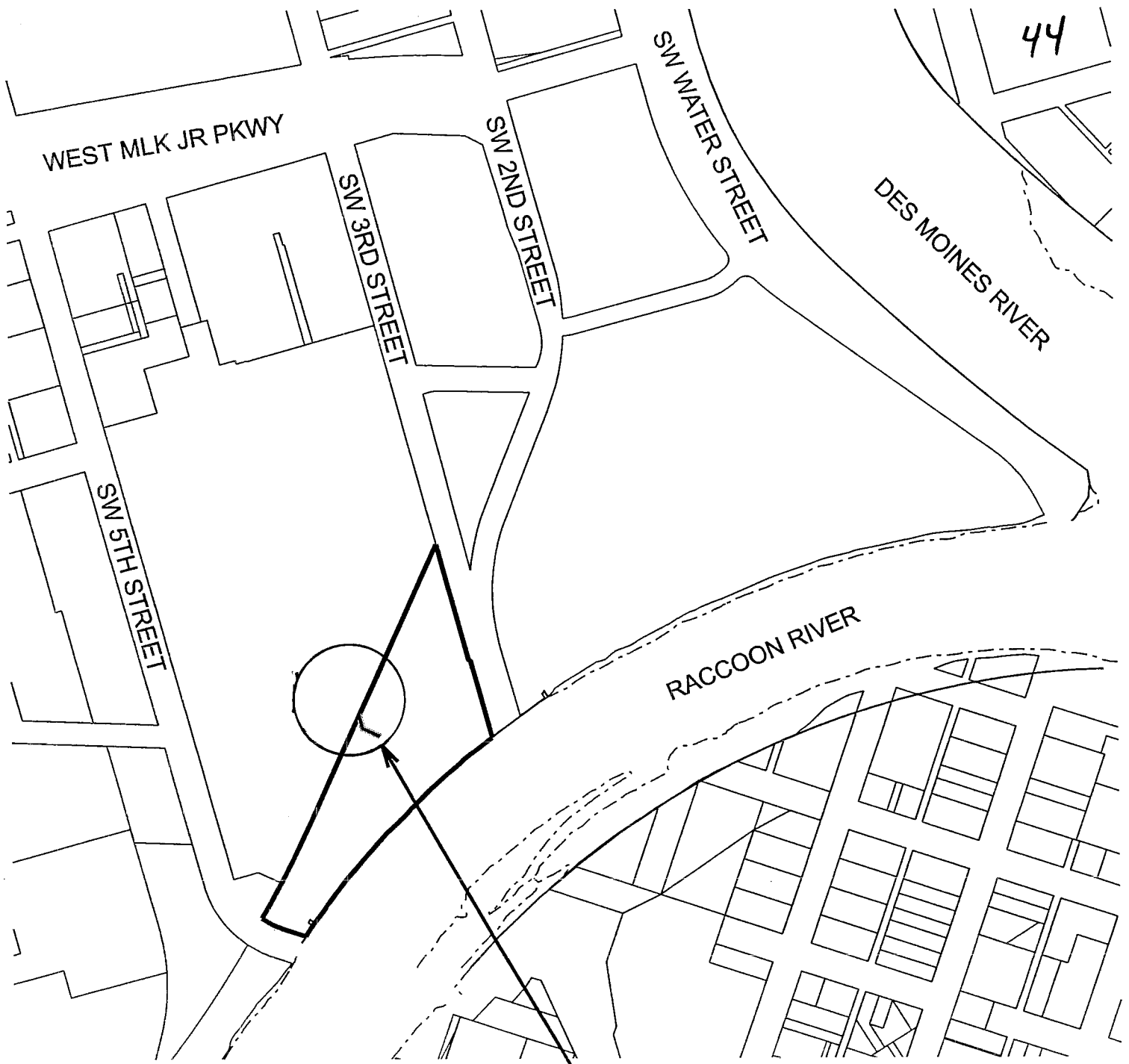
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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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WEST MLK JR PKWY

SW 3RD STREET

SW 2ND STREET

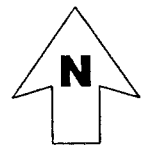
SW WATER STREET

DES MOINES RIVER

SW 5TH STREET

RACCOON RIVER

PROJECT LOCATION



DISPOSITION -
UNDERGROUND ELECTRIC
LINE EASEMENT
MIRACLE BALL FIELD
MID AMERICAN ENERGY COMPANY