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Date October 23, 2006

HOLD HEARING FOR THE CONVEYANCE OF AN ELECTRIC LINE EASEMENT TO PROVIDE ELECTRIC SERVICE TO A NEW PUMP STATION FOR THE SOUTHEAST RIDGE TRUNK SANITARY SEWER PROJECT – PHASE TWO, TO MID AMERICAN ENERGY COMPANY FOR \$1.00

WHEREAS, on October 9, 2006, by Roll Call No. 06-1971, it was duly resolved by the City Council that the proposed conveyance of an Electric Line Easement across City-owned property at 4505 SE 62nd Avenue to provide electric service to a new pump station for the Southeast Ridge Trunk Sanitary Sewer Project – Phase Two, be set down for hearing on October 23, 2006, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of said proposal to convey this Electric Line Easement 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, more specifically described as follows:

A ten (10) foot wide by one hundred seventy (170) foot long easement strip, more or less, located in property described below:

That part of Lot 6, Avon Acres, being an Official Plat, Polk County, Iowa, and described as follows:

Commencing at the South ¼ corner of Section 29, Township 78 North, Range 23 West of the 5th P.M., Polk County, Iowa; thence South 87°(degrees) 22'(minutes) 17"(seconds) East along the South line of the Southeast ¼ of said Section 29, a distance of 1320.71 feet; thence North 0°07'28" West, 408.19 feet; thence North 89°52'32" East, 60.00 feet to a point on the East right-of-way line of SE 45th Street and to the point of beginning; thence North 0°07'28" West along said East right-of-way line, 251.43 feet to a point on the South

DESCRIPTION REVIEWED
10/23/06
[Signature]

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right-of-way line of SE 62nd Avenue; thence South 86°16'16" East along said South right-of-way line, 72.16 feet; thence South 0°07'28" East, 75.00 feet; thence South 14°20'33" East, 52.93 feet; thence South 0°07'28" East, 87.00 feet; thence South 68°29'53" West, 91.28 feet to the point of beginning and containing 0.42 acres (18,411 square feet).

3. That the sale and conveyance of such easement to MidAmerican Energy Company for \$1.00, be and is hereby approved:
4. The Mayor is authorized and directed to sign the 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 grantees.
8. There will be no proceeds associated with the conveyance of this easement.

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Moved by _____ to adopt.

APPROVED AS TO FORM:

Emily Gould Chafa

 Emily Gould Chafa
 Assistant City Attorney

PJW

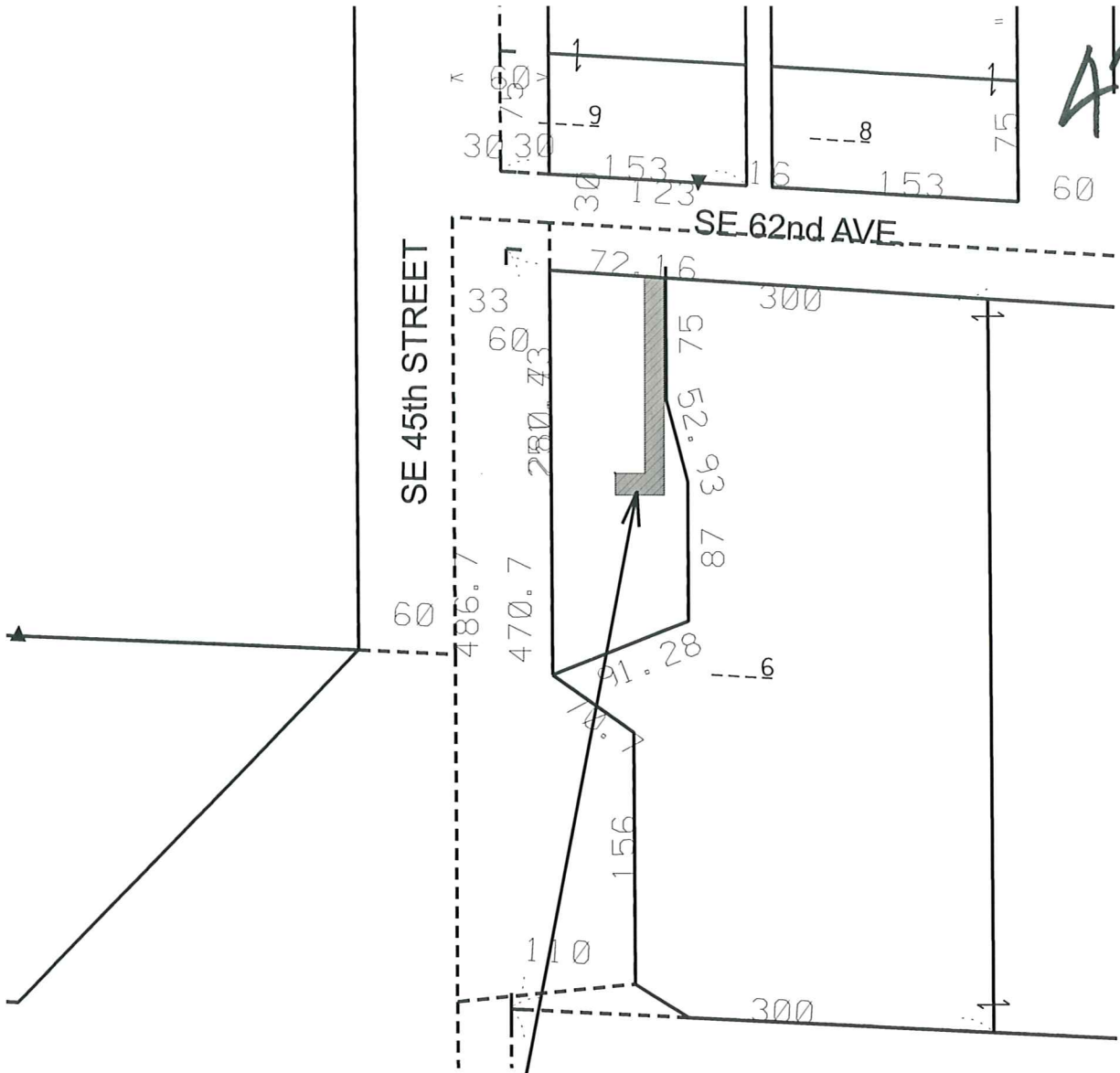
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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 EASEMENT
 MIDAMERICAN COMPANY
 ELECTRIC LINE EASEMENT
 SE RIDGE TRUNK SANITARY SEWER PH 2
 ACTIVITY I.D. 32-2004-004