

Date September 13, 2010

SET HEARING FOR CONVEYANCE OF AN ELECTRIC LINE EASEMENT ON CITY-OWNED PROPERTY LOCATED AT 200 GUTHRIE AVENUE TO MIDAMERICAN ENERGY COMPANY

WHEREAS, on September 13, 1999, by Roll Call No. 99-2748, the City Council of the City of Des Moines, Iowa, entered into an agreement with the Department of the Army for the Des Moines and Raccoon Rivers Feasibility Study; and

WHEREAS, on October 12, 2009, by Roll Call No. 09-1833, the City Council approved a Project Partnership Agreement between the City and the Department of the Army for construction of the Des Moines and Raccoon Rivers Project; and

WHEREAS, on November 23, 2009, by Roll Call No. 09-2143, the City Council approved plans for construction of a multi-use trail connection to McHenry Park as part of the Des Moines and Raccoon Rivers Project; and

WHEREAS, certain MidAmerican Energy Company electric transmission lines are being impacted by the City's levee and trail connection projects described above, and the City has requested that said lines be moved for said projects; and

WHEREAS, the City will not be inconvenienced by the conveyance of replacement areas for the electric line easement within City-owned property, and said easement will be conveyed to MidAmerican Energy Company for the consideration of MidAmerican's relocation of the electric transmission lines for the above listed City projects.

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 convey a permanent easement in the following described property, as required for the City's levee and trail connection projects and for the consideration of MidAmerican Energy Company's relocation of its electric transmission lines for said projects, as follows:

To: MidAmerican Energy Company

Legal Description:

An electric line easement 10 feet wide situated in Lots 74 and 75 of Block 5 of OLD ORCHARD BEACH, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.

The centerline of said easement being more particularly described as beginning at a point on the westerly line on said Lot 75 that is 18 feet, more or less, northerly of the southwest

★ **Roll Call Number**

Agenda Item Number
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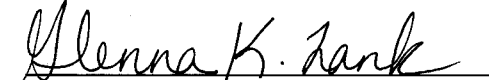
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corner of Lot 75; thence southeasterly to a point on the southerly line of said Lot 74 that is 38 feet, more or less, easterly of the southwest corner of said Lot 75.

2. A public hearing shall be held on September 27, 2010, 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.
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 Section 362.3 of the Iowa Code.
4. There are no monetary proceeds from this 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				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

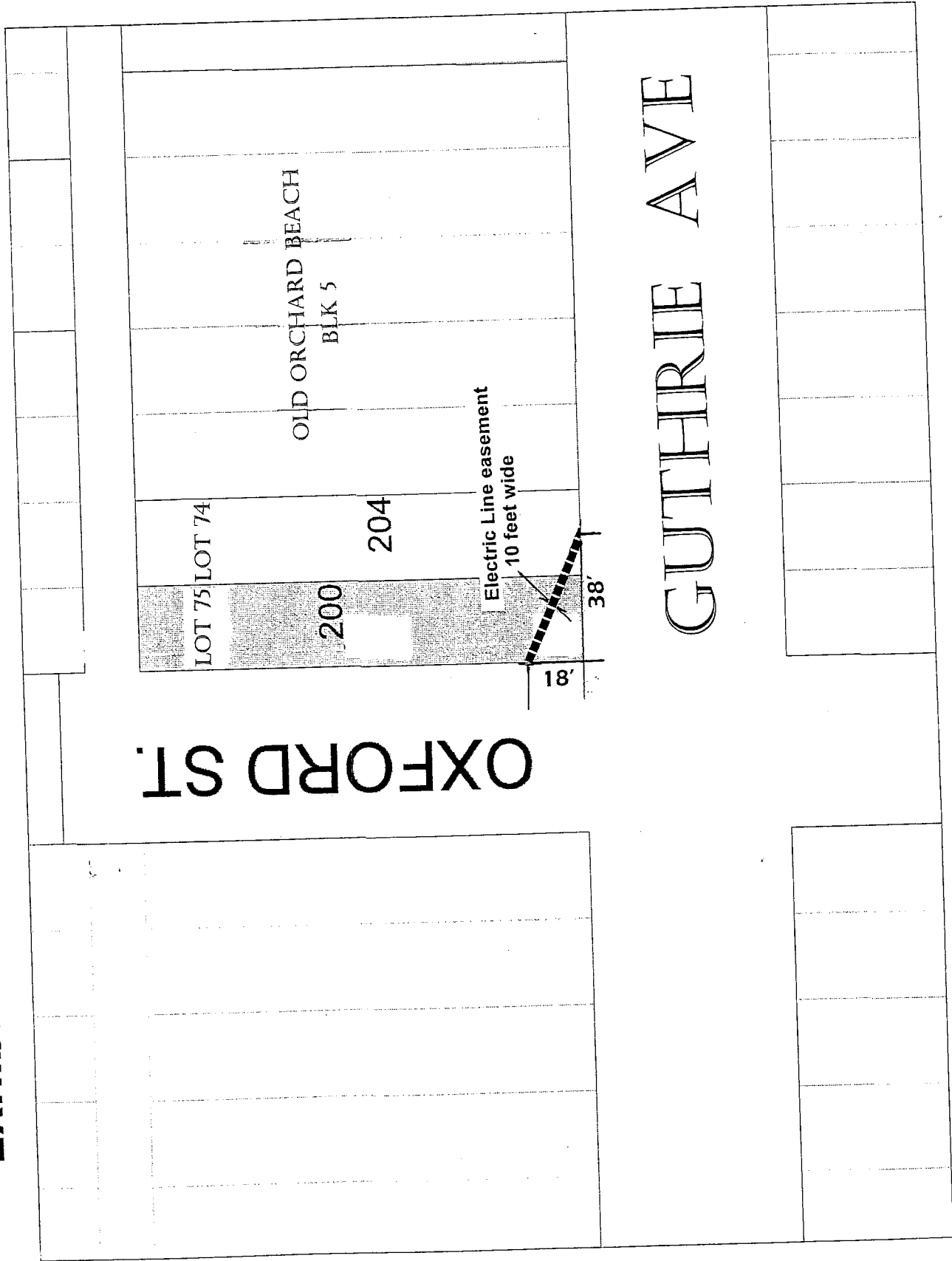
CERTIFICATE

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

Exhibit "A"



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