

Date March 28, 2011

SET HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT ON CITY-OWNED PROPERTY LOCATED AT SE 9TH STREET AND JACKSON AVENUE TO MIDAMERICAN ENERGY COMPANY FOR THE JACKSON AVENUE DETENTION BASIN PUMP STATION FOR \$1

WHEREAS, MidAmerican Energy Company ("MidAmerican") electric transmission lines are required for electric service for the Jackson Avenue Detention Basin Pump Station project, and thus MidAmerican has requested an underground electric line easement across City-owned property for this project; and

WHEREAS, the City of Des Moines needs to grant the requested easement to allow completion of the aforementioned project and to provide electrical service to the City facility, and, if approved, the underground electric line easement will be terminable and conditional upon the use of said easement by MidAmerican to provide electricity to the City.

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 10-foot underground electric line easement to MidAmerican Energy Company across City-owned property locally known as SE 9th Street and Jackson Avenue to provide electrical service for the Jackson Avenue Detention Basin Pump Station, as described below, for \$1:

A STRIP OF LAND WITHIN THAT PORTION OF LOT 1 OF THE OFFICIAL PLAT OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY IOWA, LYING EAST OF THE PRESENT 80-FOOT WIDE RIGHT-OF-WAY OF SOUTHEAST 9TH STREET, SAID STRIP BEING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT 1 WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTHEAST 9TH STREET; THENCE NORTH 00° (DEGREES)03' (MINUTES) 19" (SECONDS) WEST ALONG THE SAID EAST RIGHT-OF-WAY LINE 1153.24 FEET TO THE POINT OF BEGINNING; THENCE NORTH 65°14'59" EAST, 78.27 FEET; THENCE NORTH 78°05'53" EAST, 78.58 FEET; THENCE SOUTH 88°23'15" EAST, 271.00 FEET TO THE END OF SAID CENTERLINE, CONTAINING 4858 SQUARE FEET, MORE OR LESS.

2. A public hearing will be held on April 11, 2011, 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 proposals and any other(s) submitted prior to or during the public hearing.

★ Roll Call Number

Agenda Item Number

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- 3. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Iowa Code Section 362.3.
- 4. There will be no proceeds associated with the conveyance of this 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

Conveyance of 10 Foot
Underground Electric Easement
to MidAmerican Energy Company
Jackson Avenue Detention Basin
and Pump Station

