

Date May 6, 2013

**SET HEARING FOR CONVEYANCE OF A PERMANENT UNDERGROUND
ELECTRIC EASEMENT ON CITY-OWNED PROPERTY AT BIRDLAND PARK
TO MIDAMERICAN ENERGY COMPANY FOR \$1**

WHEREAS, an underground electric transmission line is required for electric service for the City's Birdland Park facilities, and thus MidAmerican Energy Company has requested an electric line easement across said City-owned property; and

WHEREAS, the City of Des Moines needs to grant the requested easement to provide electrical service to the City facilities.

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 an underground electric line easement to MidAmerican Energy Company across a portion of Birdland Park to provide electrical service for the City's Birdland Park facilities, more specifically described below, for \$1 and in consideration of the utility service being provided for the City facilities:

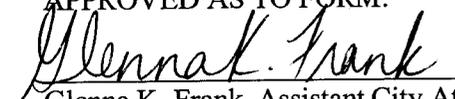
A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF OLD ORCHARD BEACH, AN OFFICIAL PLAT, ALSO KNOWN AS BIRDLAND PARK, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EASEMENT LOCATION TO BE 5 FEET ON EACH SIDE OF ELECTRIC LINE AS CONSTRUCTED.

2. A public hearing will be held on May 20, 2013, 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 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.

APPROVED AS TO FORM:


Glenna K. Frank, Assistant City Attorney

Moved by _____ to adopt.

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

CERTIFICATE

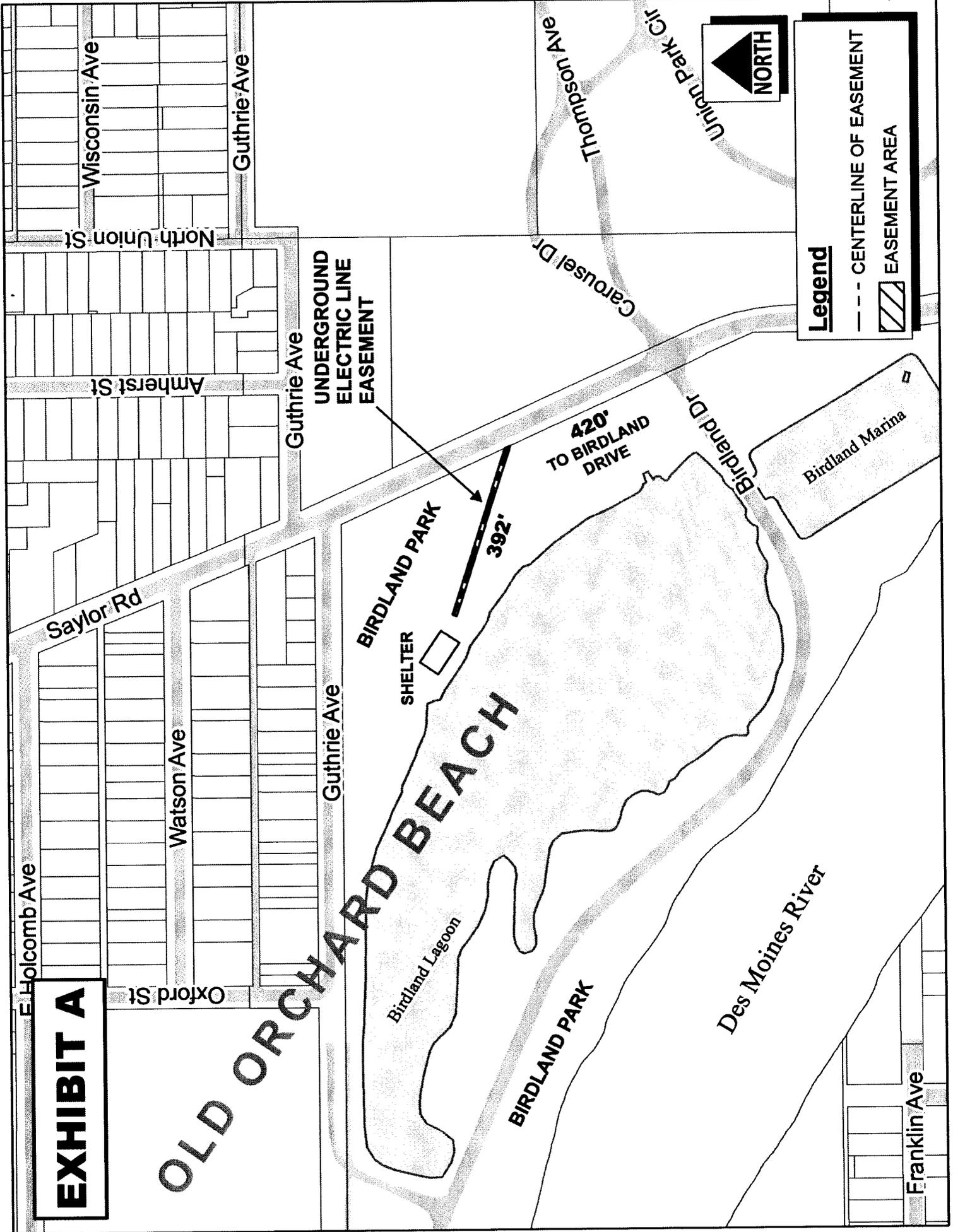
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk

EXHIBIT A

OLD ORCHARD BEACH



UNDERGROUND
ELECTRIC LINE
EASEMENT

420'
TO BIRDLAND
DRIVE

392'

Legend

- - - CENTERLINE OF EASEMENT
- [Hatched Box] EASEMENT AREA



Wisconsin Ave
Guthrie Ave
North Union St
Amherst St
Saylor Rd
Watson Ave
Guthrie Ave
Guthrie Ave
Birdland Lagoon
BIRDLAND PARK
SHELTER
BIRDLAND MARINA
Des Moines River
Franklin Ave