

Date March 23, 2015

**SET HEARING FOR CONVEYANCE OF A PERMANENT EASEMENT FOR UNDERGROUND
TELECOMMUNICATION LINES AND RELATED UTILITY EQUIPMENT TO CENTURYLINK FOR THE
GRAND AVENUE OVER WALNUT CREEK BRIDGE REPLACEMENT PROJECT**

WHEREAS, construction of the City's Grand Avenue over Walnut Creek Bridge Replacement Project conflicts with the existing telecommunication lines and related utility equipment owned by Centurylink Corporation, resulting in the need to relocate said telecommunication lines and related utility equipment to a new site on City-owned property; and

WHEREAS, Centurylink Corporation has requested a Permanent Easement for Underground Telecommunication Lines and Related Utility Equipment across City-owned property located north of Grand Avenue and east of 63rd Street for the relocated telecommunication lines and related utility equipment, and the City will not be inconvenienced by the conveyance of said easement.

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 establish and grant a permanent telecommunication lines and related utility equipment easement across City-owned property north of Grand Avenue and east of 63rd Street, more specifically described below, to Centurylink Corporation:

A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, MURROWDALE PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 0° (DEGREES) 01' (MINUTES) 21" (SECONDS) WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 218.86 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRAND AVENUE AS PRESENTLY ESTABLISHED; THENCE NORTH 26°37'52" WEST, 130.73 FEET TO THE POINT OF BEGINNING; THENCE NORTH 65°36'15" WEST, 143.33 FEET; THENCE NORTH 90°00'00" WEST, 9.51 FEET; THENCE SOUTH 17°31'41" WEST, 91.68 FEET; THENCE SOUTH 89°54'12" WEST, 7.89 FEET TO THE EAST RIGHT-OF-WAY LINE OF 63RD STREET AS PRESENTLY ESTABLISHED; THENCE NORTH 0°01'35" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, 8.22 FEET; THENCE NORTH 17°31'41" EAST, 83.08 FEET; THENCE NORTH 00°00'00" EAST, 20.00 FEET; THENCE NORTH 90°00'00" EAST, 20.00 FEET; THENCE SOUTH 0°00'00" WEST, 3.53 FEET; THENCE SOUTH 65°36'15" EAST, 145.98 FEET; THENCE SOUTH 08°53'41" WEST, 15.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,476 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

2. A public hearing shall be held on April 6, 2015, 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.

★ **Roll Call Number**

Agenda Item Number


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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 will be no proceeds associated with the conveyance of this easement.

Moved by _____ to adopt.

APPROVED AS TO FORM:


Cori Kuhn Coleman
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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

