

★ Roll Call Number

08-131

Agenda Item Number

33

Date January 28, 2008

Disposition -- MidAmerican Energy Company

SET HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PORTION OF 11015 BEARDSLEY STREET FOR THE WRA SOUTHERN TIER PUMP STATION PROJECT TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, the City currently owns a parcel of land in Warren County ("real property") that is needed by the Des Moines Metropolitan Wastewater Reclamation Authority ("WRA") for the WRA Southern Tier Pump Station Project; and

WHEREAS, the real property was to have been previously conveyed to the WRA by the City and such conveyance is to occur in the near future; and

WHEREAS, the WRA has an immediate need to relocate an existing underground electric line owned by MidAmerican Energy Company across a portion of 11015 Beardsley Street in the area of the Southern Tier Pump Station onto the aforementioned City-owned real property; and

WHEREAS, the WRA has requested that the City grant an Underground Electric Line Easement to MidAmerican Energy Company across a portion of 11015 Beardsley Street for relocation of the electric line prior to the transfer of the real property from the City to the WRA in order to expedite said relocation.

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, more specifically described and for the consideration identified below:

To: MidAmerican Energy Company for \$1

A perpetual electric line easement located in part of the Northeast 1/4 of the Southwest 1/4 of Section 2, Township 77 North, Range 24 West of the 5th P.M., Warren County, Iowa. Said perpetual easement being more particularly described as follows:

Commencing as a point of reference at the South 1/4 corner of said Section 2; thence North 89°(degrees) 45'(minutes) 36"(seconds) West (all bearings referenced to Grid North Iowa State Plane Coordinate System South Zone), 931.29 feet along the South line of said Southwest 1/4; thence North 00°14'24" East, 2,008.20 feet to a point on an existing North-South fence line, said point being the point of beginning; thence North 00°59'10" West, 10.46 feet along said fence line to a point on an existing East-West fence line; thence North 71°55'19" East, 374.75 feet along said East-West fence line; thence South 89°19'16" East, 23.00 feet along said East-West fence line; thence South 00°40'44" West, 15.00 feet;

DESCRIPTION REVIEWED

Spencer McDaniel

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Disposition – MidAmerican Energy Company

DESCRIPTION REVIEWED

Spencer M. ...

thence South 89°52'12" West, 15.00 feet; thence North 00°40'44" East, 5.17 feet; thence North 89°19'16" West, 6.34 feet; thence South 71°55'19" West, 376.18 feet to the point of beginning. (Containing 4,050 square feet, more or less.)

- 2. A public hearing shall be held on February 11, 2008, 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 code section 362.3 of the Iowa Code.
- 4. There will be no proceeds associated with the conveyance of the Underground Electric Line Easement.

Moved by Kiernan to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

T. M. Franklin 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.

Diane Rauh City Clerk