

★ Roll Call Number

08-386

Agenda Item Number

27

Guthrie Avenue Business Park (MidAmerican Energy)

Date March 10, 2008

**SET HEARING FOR CONVEYANCE OF AN ELECTRIC LINE EASEMENT  
ACROSS CITY-OWNED PROPERTY IN THE VICINITY OF MATTERN AVENUE  
AND DIXON STREET IN GUTHRIE AVENUE BUSINESS PARK TO  
MIDAMERICAN ENERGY COMPANY FOR \$1**

**WHEREAS**, on September 24, 2007, by Roll Call No. 07-1886 the City Council of the City of Des Moines approved an Urban Renewal Development with Houghton Properties for redevelopment of a City-owned parcel in the Guthrie Avenue Business Park Urban Renewal Area south of Mattern Avenue to East Jefferson Avenue, between Dixon and De Wolf Streets; and

**WHEREAS**, on September 24, 2007, by Roll Call No. 07-1884, the City Council of the City of Des Moines passed Ordinance No. 14,707 vacating East 18<sup>th</sup> Street between Mattern Avenue and East Jefferson Avenue, and Mattern Avenue between Dixon and De Wolf Streets; and

**WHEREAS**, upon vacation of the rights-of-way, as described above, MidAmerican Energy Company was notified that they were required to remove or abandon all utilities located in the vacated rights-of-way; and

**WHEREAS**, to allow for Houghton Properties redevelopment, MidAmerican Energy Company requires an Underground Electric Line Easement between Dixon and East 18<sup>th</sup> Streets, across City-owned property being purchased by Houghton Properties, and an Overhead Electric Line Easement across vacated Mattern Avenue, between Dixon and De Wolf Streets.

**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 Electric Line Easement to MidAmerican Energy Company across City-owned property in the vicinity of Mattern Avenue and Dixon Street in Guthrie Avenue Business Park, more specifically described and for the consideration identified below:

To: MidAmerican Energy Company for \$1

A 10-foot wide Underground Electric Line Easement situated in the following described property:

The South 41 feet of Lots 7 and 18, as they presently exist, in Block 11, T.E. Brown's, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa. Said Easement being the North 10 feet, more or less, of the South 41 feet of said Lots 7 and 18.

And

DESCRIPTION REVIEWED  
3/10/08 11:40 AM

★ **Roll Call Number**  
 08:3816

**Agenda Item Number**  
 27

Guthrie Avenue Business Park (MidAmerican Energy)

**Date** March 10, 2008

DESCRIPTION REVIEWED

A 10-foot wide Overhead Electric Line Easement situated in the following described property:

Lot Z (vacated Mattern Avenue), T. E. Brown's, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa. Said easement being the North 10 feet, more or less, of said Lot Z (vacated Mattern Avenue right-of-way) lying North of and adjoining Blocks 11 and 12, of said T. E. Brown's, and lying North of and adjoining Lot K of said T. E. Brown's (vacated East 18<sup>th</sup> Street right-of-way).

2. A public hearing shall be held on March 24, 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 granting of this Electric Line Easement.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
 Glenna K. Frank  
 Assistant City Attorney

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

**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.

T. M. Franklin  
 Mayor

Diane Rauh  
 City Clerk