



**Roll Call Number**

10-1367

**Agenda Item Number**

16

**Date** August 23, 2010

**SET HEARING FOR THE CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT TO MIDAMERICAN ENERGY COMPANY FOR SERVICE TO THE WORLD FOOD PRIZE FOUNDATION (LESSEE) AND THE CITY OF DES MOINES (LESSOR)**

**WHEREAS**, The World Food Prize Foundation, as lessee, and the City of Des Moines, Iowa (“City”), as lessor, are parties to an Urban Renewal Agreement for Lease of Property for Private Development as recorded on November 20, 2009 in Book 13283, Pages 878-927 in the office of the Polk County Recorder, for property locally known as 100 Locust Street; and

**WHEREAS**, for operational purposes for lessee The World Food Prize Foundation, MidAmerican Energy Company must supply electrical service to said property and has requested an underground electric line easement across said City-owned property to provide service to the site; and

**WHEREAS**, if approved, the underground electric line easement will be terminable and conditional upon the use of said easement by MidAmerican Energy Company to provide electricity to City lessees and/or to the City, and The World Food Prize Foundation has previously approved and signed said easement as a grantor.

**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, for the purpose of serving The World Food Prize Foundation as lessee of the City of Des Moines, upon the property located at 100 Locust Street, more specifically described and for the consideration identified below:

To: MidAmerican Energy Company

For: \$1.00

**PERMANENT UNDERGROUND ELECTRIC LINE EASEMENT DESCRIPTION:**

An underground electric line easement situated over, under and across the property described as follows:

The South Forty (40) Feet of the East Twenty-five (25) Feet of the West Forty-nine (49) Feet of Vacated 1<sup>st</sup> Street East of and Adjoining Block Thirty-three (33), Fort Des Moines, An Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, as generally depicted on Exhibit “A” attached hereto and made a part hereof.

2. A public hearing shall be held on September 13, 2010 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

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consider the above-described proposal(s) 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(s) and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank  
Assistant City Attorney

BW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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