

★ Roll Call Number

10-1455

Agenda Item Number

25

Date September 13, 2010

SET HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT ON CITY-OWNED PROPERTY LOCATED AT 5000 FRANKLIN AVENUE TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, MidAmerican Energy Company ("MidAmerican") electric transmission lines are required for electric service for the City's Franklin Avenue Library, and thus MidAmerican has requested an easement across 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 the Library.

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 convey an easement to MidAmerican Energy Company in the following described property, as required for the Franklin Avenue Library, as follows:

Legal Description:

A 10 FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT SITUATED OVER, UNDER AND ACROSS THE PROPERTY DESCRIBED AS FOLLOWS:

The south 105 feet of the north 242 feet of the east 210 feet of the SE 1/4 of the NW 1/4 of Section 31-79-24, west of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. A public hearing shall be held on September 27, 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 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 Section 362.3 of the Iowa Code.

4. There are no proceeds from this Electric Line Easement.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

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

Diane Rauh City Clerk