

Date January 24, 2011

**HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC LINE EASEMENT
ON CITY-OWNED AIRPORT PROPERTY AT 2211 LITTELL
AVENUE TO MIDAMERICAN ENERGY COMPANY FOR \$1**

WHEREAS, MidAmerican Energy Company has requested an underground electric line easement across City-owned airport property at 2211 Littell Avenue to serve the new Des Moines International Airport Rental Car Facility; and

WHEREAS, on August 5, 2010, the City of Des Moines received approval from FAA to grant the easement, more specifically described below, to MidAmerican Energy Company for mutual benefit; and

WHEREAS, the easement will be located on airport property that is not needed for direct aviation use, and this conveyance will have no adverse impact on the aeronautical use of the airport; and

WHEREAS, on January 10, 2011, by Roll Call No. 11- 0024, it was duly resolved by the City Council that the proposed conveyance of the easement be set down for hearing on January 24, 2011, at 5:00 p.m., in the City Council Chambers; and

WHEREAS, due notice of the proposal to convey this easement was given as provided by law, setting forth the time and place for hearing on the proposal; and

WHEREAS, in accordance with City Council direction, those interested in this proposed conveyance, both for and against, have been given an opportunity to be heard and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed conveyance of this Easement, as described below, are hereby overruled and the hearing is closed.

2. The public would not be inconvenienced by reason of the conveyance of this Easement on City-owned airport property at 2211 Littell Avenue, more specifically described as follows:

A 35-foot by 35-foot triangular shaped underground electric line easement near the southwest corner of the property described as follows:

South of relocated Army Post Road right-of-way, Lots 19 through 23, Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

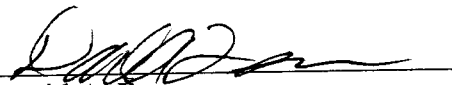
3. That the sale and conveyance of the Easement to MidAmerican Energy Company for \$1, be and is hereby approved.

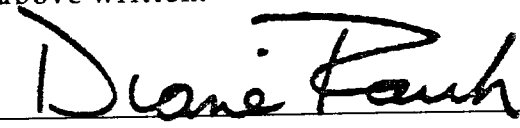
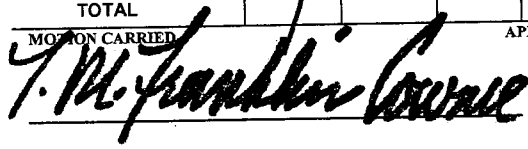
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4. The Mayor is authorized and directed to sign the easement for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Clerk is authorized and directed to forward the original of this Easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing to the Real Estate Division of the Engineering Department for the purpose of causing the documents to be recorded.
6. The Real Estate Division Manager is authorized and directed to forward the original of the easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Easement and copies of the other documents to the grantees.
8. There will be no proceeds associated with the conveyance of this Easement.

Moved by Hensley to adopt.

APPROVED AS TO FORM:


David A. Ferree
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	
COWNIE	✓				<p style="text-align: center;">CERTIFICATE</p> <p>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.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</p>
COLEMAN	✓				
GRIESS	✓				
KIERNAN	✓				
MAHAFFEY	✓				
MEYER	✓				
MOORE	✓				
TOTAL	7				<p style="text-align: center;"> Diane Fauh City Clerk</p>
<div style="display: flex; justify-content: space-between;"> <div> <p><i>BM</i></p> <p> T. M. Franklin Course Mayor</p> </div> <div> <p>APPROVED</p> </div> </div>					