

★ **Roll Call Number**
11-0888

Agenda Item Number
25

Date May 23, 2011

**SET HEARING FOR CONVEYANCE OF OVERHEAD AND UNDERGROUND ELECTRIC LINE
EASEMENTS ON VARIOUS CITY-OWNED PROPERTIES TO
MIDAMERICAN ENERGY COMPANY FOR \$1**

WHEREAS, MidAmerican Energy Company ("MidAmerican") electric transmission lines are required for electric service for the Municipal Service Center at 903 SE 22nd Street, and the Quarantine Building at the Blank Park Zoo, and thus MidAmerican has requested electric line easements across various City-owned properties for these projects; and

WHEREAS, the City of Des Moines needs to grant the requested easements to provide electrical service to these City facilities.

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 a 10-foot overhead and underground electric line easement to MidAmerican Energy Company across City-owned property locally known as 903 SE 22nd Street to provide electrical service for the Municipal Service Center, more specifically described below, for \$1:

That part of Lot 16 in the Official Plat of Section 12, Township 78, Range 24, West of the 5th P.M., lying south of the Chicago, Burlington and Quincy Railroad Company, particularly described as follows: Beginning at a point on the east line of said Lot 16 and on the south line of said right of way; thence south along the east line of said Lot, 399.75 feet; thence west at right angles 796.7 feet more or less, to the west line of said Lot 16; thence north 696.7 feet more or less to the south line of the Chicago, Burlington and Quincy Railroad Company's right of way aforesaid; thence southeasterly along the south line of said right of way to the place of beginning,

AND

The South 39.71 acres of Lot 16 (Except .34 acres for the C.R.I. & P. Railroad across the Southwest corner of said Lot 16, and Except that part deeded to the City of Des Moines, in Book 5048, Page 633) in the Official Plat of Section 12, Township 78 North, Range 24, West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Said easement being 5 feet on each side of the following described centerline: Beginning at a point 5 feet east of the west property line that is 711 feet, more or less, south of the north property line; thence north for a distance of 360 feet, more or less; thence northeasterly for a distance of 145 feet, more or less to a point 120 feet east of the west property line, to the point of termination as generally depicted on Exhibit "A", attached here to and made a part hereof.

2. The City Council of the City of Des Moines, Iowa proposes to grant a 10-foot underground electric line easement to MidAmerican Energy Company across City-owned property locally known as 7401 SW 9th Street to provide electrical service for the Quarantine Building at the Blank Park Zoo, more specifically described below, for \$1:

Parcel "A" of the Northeast Quarter (NE1/4) of Section 33, Township 78 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa as described in the quit claim deed from the UNITED STATES OF AMERICA to the CITY OF DES MOINES and recorded in Book 8370, Pages 959-970 in the Polk County Recorder's Office on November 17, 1999 and described as follows:

★ Roll Call Number
11-0888

Agenda Item Number
25

Date May 23, 2011

Commencing as a point of reference at the southeast corner of the northeast ¼ of Section 33, Township 78 North, Range 24 West of the 5th P.M., thence North 89°44'06" West, 263.39 feet to the POINT OF BEGINNING; thence North 89°44'06" West, 1,743.12 feet; thence North 00°36'11" West, 585.53 feet; thence South 89°52'54" East, 1,341.54 feet; thence North 00°02'18" East, 20.00 feet; thence South 89°52'54" East, 267.04 feet; thence North 78°11'31" East, 136.69 feet; thence South 00°37'02" East, 638.25 feet to the POINT OF BEGINNING, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(The aforesaid property is listed on the web site of the Polk County Auditor as GeoParcel 782433-200-016 and described as Parcel "E".)

The center line of said electric line easement being more particularly described as follows:

Beginning at the northern point of terminus of the Underground Electric Line Easement recorded in Book 10906 Page 877-879 of the Polk County Recorder's Office on January 19, 2005, attached hereto and made a part hereof as Exhibit "B"; thence easterly 300 feet to an angle point; thence northeasterly to a terminus point which is 75 feet North of and 45 feet East of said angle point, as depicted in Exhibit "A", attached hereto and made a part hereof.

The aforesaid easement area excludes any ground encroached upon by existing buildings.

3. A public hearing will be held on June 13, 2011, 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 proposals and any other(s) submitted prior to or during the public hearing.

4. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Iowa Code Section 362.3.

5. There will be no proceeds associated with the conveyance of these easements.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
 on Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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