

★ Roll Call Number

12-1516

Agenda Item Number

33

Date September 24, 2012

CONTINUANCE OF HEARING FOR CONVEYANCE OF AN OVERHANG ELECTRIC LINE EASEMENT TO MIDAMERICAN ENERGY COMPANY UPON CITY-OWNED PROPERTY LOCATED ALONG THE EASTERN EDGE OF THE GUTHRIE AVENUE DETENTION BASIN FOR \$100

WHEREAS, MidAmerican Energy Company ("MidAmerican") currently has electric line facilities within real property owned by Union Pacific Railroad that adjoins City-owned property located along the eastern edge of the Guthrie Avenue Detention Basin, locally known as Polk County District/Parcel No. 110/06643-005-000 and hereinafter more fully described; and

WHEREAS, Union Pacific Railroad has requested that MidAmerican relocate certain electric transmission poles upon the Union Pacific property as part of a private project, which relocation will result in overhanging transmission lines within the adjoining City-owned property; and

WHEREAS, MidAmerican has offered to the City of Des Moines the purchase price of \$100.00 for the purchase of a permanent easement for overhanging electric lines within the City-owned property (Polk County District/Parcel No. 110/06643-005-000) to accommodate the Union Pacific Railroad project, which purchase price reflects the fair market value of the easement as determined by the City's Real Estate Division; and

WHEREAS, on September 10, 2012, by Roll Call No. 12-1414, it was duly resolved by the City Council that the proposed conveyance of the easement be set down for hearing on September 24, 2012, at 5:00 p.m., in the City Council Chambers; and

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

WHEREAS, MidAmerican Energy Company has requested a continuance of the public hearing on said proposal until the Council meeting on October 8, 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the public hearing for conveyance of a permanent easement within City-owned property (Polk County District/Parcel No. 110/06643-005-000) to MidAmerican Energy Company, be and is hereby further continued to October 8, 2012, at 5:00 p.m. in the City Council Chambers.

Moved by Hensley to adopt,

(Council Communication No. 12-518 )

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and 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.

Diane Rauh City Clerk

T. M. Franklin Council Mayor