

Date July 29, 2013

**SET HEARING FOR CONVEYANCE OF A GAS AND REGULATOR STATION EASEMENT  
LOCATED IN THE NORTHWEST CORNER OF McHENRY PARK  
TO MIDAMERICAN ENERGY COMPANY FOR \$200**

**WHEREAS**, MidAmerican Energy Company ("MidAmerican") has requested an easement on City-owned property as a part of a private MidAmerican project to relocate and replace existing underground gas and regulator vaults within street right-of-way to above-ground locations outside of street right-of-way; and

**WHEREAS**, MidAmerican has offered to the City of Des Moines the purchase price of \$200.00 for the purchase of a permanent easement for gas and regulator station easement within said City-owned property to accommodate the MidAmerican relocation project, which purchase price reflects the fair market value of the easement as determined by the City's Real Estate Division; and

**WHEREAS**, the City and the public will not be inconvenienced by the sale and conveyance of the permanent easement as requested by MidAmerican.

**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 12' x 26' permanent gas and regulator station easement to MidAmerican Energy Company across City-owned property located at the northwest corner of McHenry Park, more specifically described below, for \$200:

A 12.00 FOOT WIDE GAS & REGULATOR STATION EASEMENT IN LOT 10, BLOCK 1, OAKLAND HEIGHTS, AN OFFICIAL PLAT RECORDED IN BOOK 'F', PAGE 90 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID LOT 10, SAID NW CORNER ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF OAK PARK AVENUE AS IT IS PRESENTLY ESTABLISHED; THENCE N89°(DEGREES)54'(MINUTES)56"(SECONDS)E, 12.09 FEET ALONG THE NORTH LINE OF SAID LOT 10, AND SAID SOUTH RIGHT-OF-WAY LINE TO A POINT THAT IS 12.00 FEET EAST OF THE WEST LINE OF SAID LOT 10; THENCE S07°08'18"E, 24.96 FEET PARALLEL TO AND 12.00 FEET EAST OF THE WEST LINE OF SAID LOT 10 TO A POINT; THENCE S82°51'42"W, 12.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 10, SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF RAVINA DRIVE AS IT IS PRESENTLY ESTABLISHED; THENCE N07°08'18"W, 26.44 FEET ALONG SAID WEST LINE OF LOT 10 AND SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 308 SQUARE FEET.

2. A public hearing will be held on August 12, 2013, 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 the proposal and hearing in the form hereto attached, all in accordance with Iowa Code Section 362.3.
4. The proceeds from the sale of this property shall be deposited into the following account: Fund: SP767, Org: ENG980500.

★ Roll Call Number

13-1198

Agenda Item Number

20B

Date July 29, 2013

APPROVED AS TO FORM:

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

Moved by Hensley to adopt.

*BSW*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
COLEMAN	1			
GRIESS	1			
HENSLEY	1			
MAHAFFEY	1			
MEYER	1			
MOORE	1			
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