

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**


Item No. 9
For Meeting of 08/17/09

ITEM TITLE: Discussion of Library Contract

CONTACT PERSON: Marketa George Oliver, City Administrator

SUMMARY EXPLANATION

Attached is resolution granting Mid-American Energy an electric line easement on property in Colby Park. If you recall, the City's goal was to put the lines underground. At the August 3rd meeting, the Council approved a proposal from Mid American Energy to furnish the necessary labor and materials to extend electrical lines underground to the park. This resolution grants the easement for the line that will be installed.

<input checked="" type="checkbox"/> Resolution _____ Ordinance _____ Contract _____ Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: right; margin-right: 100px;"> City Administrator</div>

STAFF RECOMMENDATION: Pass resolution on a roll call vote.

COUNCIL ACTION:

RESOLUTION NO. 09-0817/

A RESOLUTION GRANTING MIDAMERICAN ENERGY COMPANY AN UNDERGROUND ELECTRIC LINE EASEMENT, LOT 47 IN WINDSOR PLACE

WHEREAS, the City of Windsor Heights, hereby grants MidAmerican Energy Company, the right to lay, maintain, operate, repair, and remove underground conduit, wires, and other necessary equipment through and across a strip of land ten (10) feet in width, situated in Lot 47 in Windsor Place, an Official Plat, now included in and forming a part of the City of Windsor Heights, Polk County, Iowa;

WHEREAS, this resolution grants a permanent underground electric line easement to MidAmerican Energy Company for Lot 47 in Windsor Place, a copy of which is attached hereto and incorporated hereby referenced as Exhibit "A"; and

WHEREAS, the City desires to grant the permanent underground electric line easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City does hereby grant the permanent underground electric line easement described in Exhibit "A".

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to cause this Resolution and the attached Exhibit to be recorded in the office of the Polk County Recorder in the manner provided by law.

PASSED AND APPROVED THIS 17TH DAY OF AUGUST, 2009.

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Clerk

PLEASE RETURN TO:
 MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES P.O. BOX 657 DES MOINES, IA 50303-0657

Prepared by: Paige Norris (515) 281-2604

**MIDAMERICAN ENERGY COMPANY
 ELECTRIC LINE EASEMENT**

Folder No.	<u>304-08</u>	State of Iowa	
Project No.	<u>81148</u>	County of	<u>Polk</u>
Sub No.	<u>DR2102566</u>	Section	<u>2</u>
		Township	<u>78 North</u>
		Range	<u>25 West of the 5th P.M.</u>

KNOW ALL MEN BY THESE PRESENTS:

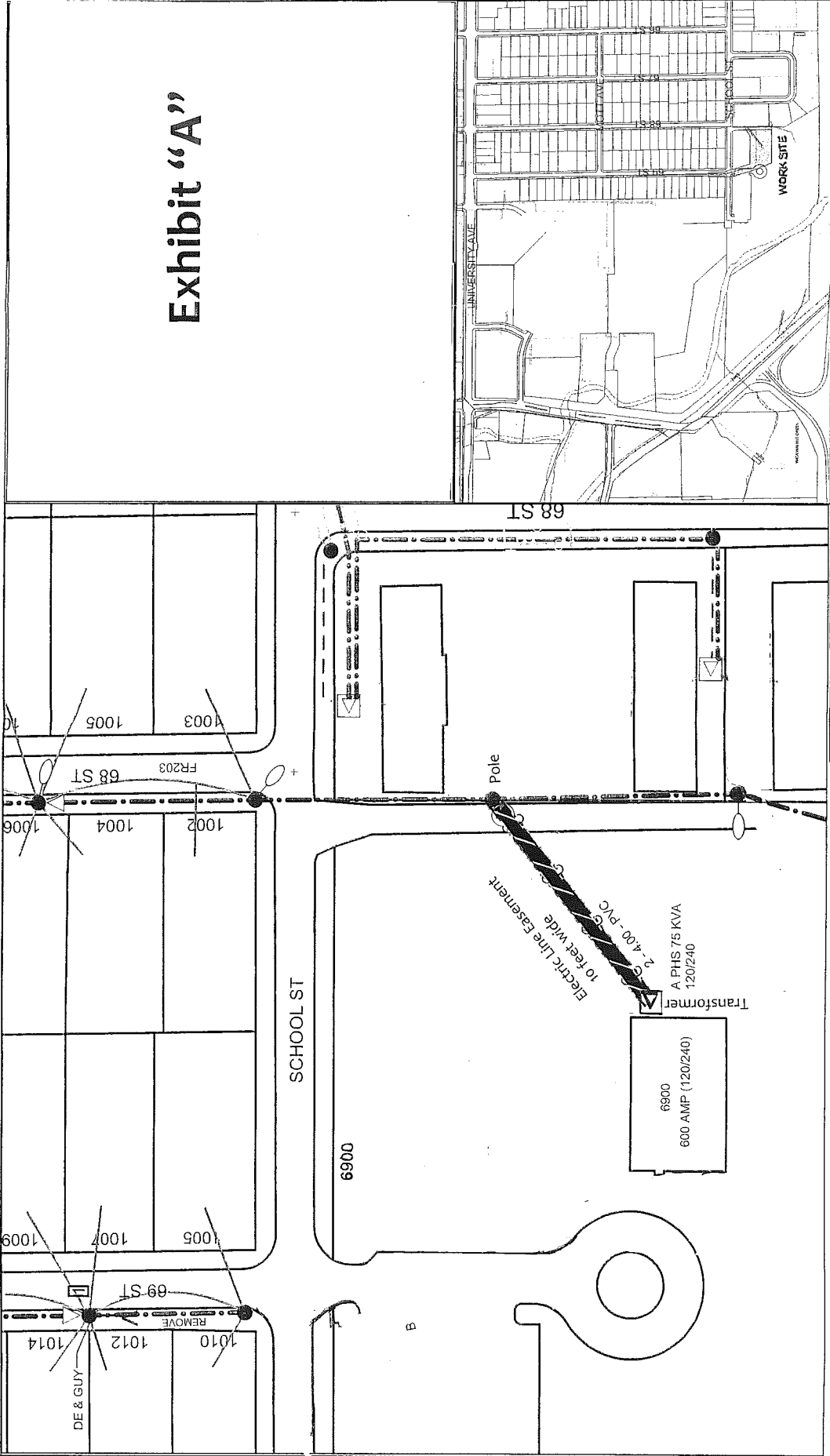
For and in consideration of the sum of One and no/100-----Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa Corporation, receipt of which is hereby acknowledged, the undersigned, **City of Windsor Heights, Iowa**, a municipal corporation, (Grantor), heirs and assigns, do hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors or assigns, the right to install, construct, lay, maintain, operate, repair, and remove electrical supply lines and the poles, guys, guy stubs, anchors, under and/or above ground wires, cables, conduit, and other necessary equipment incident thereto through, upon, over, under, along and across certain property described below, together with ingress and egress to and from the same, and the right to trim or remove, with reasonable care, such trees and plants as may interfere with the proper maintenance or operation thereof, and all the rights and privileges incident and necessary to the enjoyment of this grant. Grantors agree not to perform any construction that would change the existing grade resulting in a violation of the minimum clearance requirements of the National Electric Safety Code or that would interfere with the operation and maintenance of the lines or cables.

In consideration of such grant, MIDAMERICAN ENERGY COMPANY agrees that it will repair or pay for any damage which may be caused to real and personal property of the undersigned by the construction, maintenance, operation, or removal of said lines, except such property placed subsequent to the granting of this easement that interferes with the operation and maintenance of the line and associated equipment.

Grantors agree that they will not construct or place any permanent buildings, structures, trees, plants, or other objects on the easement strip of land described below.

EASEMENT DESCRIPTION: An electric line easement situated in Lot 47 in Windsor Place, an Official Plat, now included in and forming a part of the Town of Windsor Heights, Polk County, Iowa. Said easement is generally depicted in Exhibit "A" attached hereto and made a part hereof. This grant shall also cover those areas where the location of customer installed conduit deviates from the areas depicted on said Exhibit "A".

Exhibit "A"



	Cust: WINDSOR HEIGHTS COMMUNITY CENTER Addr: 6900 SCHOOL STREET City: WINDSOR HEIGHTS	WMS_REV:2102586-1 T78N-R25W SEC 2 X = 1,582.355 Y = 581.485
	Crew: HQ:DAWNR Job Desc: method to serve 600 Amp, 120/240 amp single phase service	Designer: SHEPHERD, JEFF D