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PATRICK F GILL, AUDITOR AND RECORDER 
WOODBURY COUNTY IOWA

STATE OF IOWA

Woodbury County

CITY OF SIOUX CITY

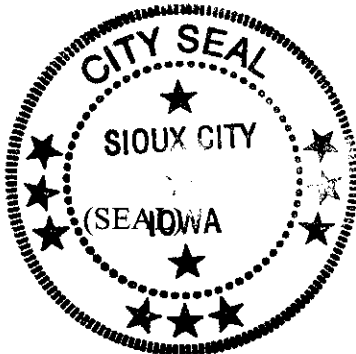
Office of the City Clerk

I, Lisa L. McCardle, City Clerk of the City of Sioux City and City Clerk of the City Council thereof, and as such, having charge of and in my possession all the records and documents pertaining to said office now remaining therein, do hereby certify that it appears from such records that the foregoing is a true and correct copy of the Resolution 2006-00825 adopted by the City Council of the City on the 20th day of November, 2006, upon the call of yeas and nays thereof duly had and recorded.

Dated at Sioux City, Iowa this 29th day of November, 2006.



LISA L. McCARDLE
CITY CLERK



RESOLUTION NO. 2006-000825
with attachments

RESOLUTION ACCEPTING THE PROPOSAL OF MIDAMERICAN ENERGY COMPANY, AN IOWA CORPORATION, FOR THE GRANTING OF AN ELECTRIC UNDERGROUND EASEMENT IN CERTAIN LAND IN THE CENTRAL SIOUX CITY URBAN RENEWAL AREA AND AUTHORIZING ACQUISITION OF SAID EASEMENT. (ADJACENT TO PROPERTY COMMONLY KNOWN AS 301 JENNINGS STREET)

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, the City of Sioux City, Iowa, has undertaken a program of redevelopment of blighted areas in the City, and in this connection has instituted the Central Sioux City Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa authorizes the City to invite proposals from all interested parties for the acquisition of an easement in land in an urban renewal area by publishing public notice of its intent to receive and accept any such proposal; and

WHEREAS, MidAmerican Energy Company, an Iowa corporation, has submitted a proposal to acquire an electric underground easement in the following described property in the Central Sioux City Urban Renewal Area:

An electric easement over that part of Lot 4 and that part of the vacated East-West alley adjacent Lot 3 and Lot 4 all in Block 22, that part of Lot 12, Block 23 and that part of vacated Jennings Street lying between Block 22 and Block 23, all in Middle Sioux City an addition to Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Block 23; thence South 89°56'14" West along the South line of said Block 23, also being the South line of said Lot 12 of said Block 23 for 307.27 feet to the point of beginning; thence continuing South 89°56'14" West along said South line for 8.78 feet; thence North 75°45'00" West for 25.00 feet; thence North 51°09'26" West for 24.95 feet; thence North 25°05'00" West for 64.16 feet; thence North 0°32'00" East for 63.00 feet; thence North 16°14'00" West for 9.00 feet; thence South 90°00'00" West for 22.00 feet; thence North 0°00'00" East for 23.00 feet; thence North 90°00'00" East for 19.00 feet; thence South 0°00'00" East for 4.00 feet; thence South 63°06'00" East for 10.37 feet; thence South 16°14'00" East for 22.46 feet; thence South 0°32'00" West for 62.20 feet; thence South 25°05'00" East for 59.57 feet; thence South 51°09'28" East for 20.45 feet; thence South 75°45'00" East for 21.56 feet; thence North 89°56'14" East for 7.54 feet; thence South 0°00'00" East for 10.00 feet to the point of beginning; and

WHEREAS, pursuant to Resolution No. 2006-0775 passed and approved by the City Council on November 6, 2006, the City indicated its intent to accept said proposal of MidAmerican Energy Company, an Iowa corporation, established a date and time for the submission of proposals by other interested parties, established a date and time for a hearing accepting such proposals, and authorized the publication of notice of such invitation, intent and hearing; and

WHEREAS, a hearing was held on the proposals so submitted and the City Council is of the opinion and belief that it would be in the best interests of the City to accept the proposal of MidAmerican Energy Company, an Iowa corporation, for the acquisition of an electric underground easement in said property and that accepting such proposal is in the public interests; and

WHEREAS, an electric underground easement has been prepared for the granting of an electric underground easement in said property, pursuant to the terms of said proposal, and should be approved as to form and content.

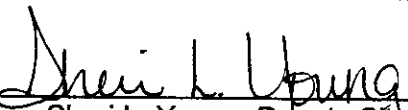
NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the electric underground easement attached hereto providing for the granting of an electric underground easement in said property to MidAmerican Energy Company, an Iowa corporation, is hereby approved as to form and content and the Mayor and City Clerk be and they are hereby authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said electric underground easement and the costs incurred in this electric underground easement that the electric underground easement be delivered to MidAmerican Energy Company, an Iowa corporation.

PASSED AND APPROVED: November 20, 2006



Craig S. Berenstein, Mayor

ATTEST: 

Sheri L. Young, Deputy City Clerk

PROOF OF PUBLICATION

STATE OF IOWA
COUNTY OF WOODBURY,

PUBLIC NOTICE OF INVITATION FOR PROPOSALS AND OF INTENT TO ACCEPT PROPOSAL AND OF PUBLIC HEARING

NOTICE is hereby given that there is now on file in the office of the City Clerk located at the Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, a resolution under and by virtue of which the City of Sioux City, Iowa, invites proposals for acquisition of an electric underground easement in certain land in the Central Sioux City Urban Renewal Project Area; and under and by virtue of which the City has expressed an intent to accept the proposal as submitted by MidAmerican Energy Company, an Iowa corporation, a copy of which is on file in the office of the City Clerk. Said Invitation for Proposals and said proposal concerns the following described real property:

An electric easement over that part of Lot 4 and that part of the vacated East-West alley adjacent Lot 3 and Lot 4 all in Block 22, that part of Lot 12, Block 23 and that part of vacated Jennings Street lying between Block 22 and Block 23, all in Middle Sioux City an addition to Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Block 23; thence South 89°56'14" West along the South line of said Block 23, also being the South line of the point of beginning; thence continuing South 89°56'14" West along said South line for 8.78 feet; thence North 75°45'00" West for 25.00 feet; thence North 51°09'26" West for 24.95 feet; thence North 25°04'00" West for 64.16 feet; thence North 0°32'00" East for 43.00 feet; thence North 16°14'00" West for 9.00 feet; thence South 90°00'00" West for 23.00 feet; thence North 90°00'00" East for 19.00 feet; thence South 0°00'00" East for 4.00 feet; thence South 63°06'00" East for 10.37 feet; thence South 16°14'00" East for 22.46 feet; thence South 0°32'00" West for 62.20 feet; thence South 25°05'00" East for 59.57 feet; thence South 51°09'28" East for 20.45 feet; thence South 75°45'00" East for 21.56 feet; thence North 89°56'14" East for 7.54 feet; thence South 0°00'00" East for 10.00 feet to the point of beginning.

Full information as to the form and content of bid documents, requirements to be met by bidders, and as to bidding procedures is available at the office of the Real Estate Office, Room 304, City Hall, 405 Sixth Street, Sioux City, Iowa.

Any person interested in obtaining an electric underground easement in said real estate should submit a completed proposal to the Real Estate Office, Room 304, City Hall, 405 Sixth Street, Sioux City, Iowa no later than 1:00 p.m., local time, on November 20, 2006.

The right is reserved by the City to accept or reject any or all proposals, and to waive formalities in any procedures set forth herein. Documents to be completed may be obtained from the Real Estate Office without charge.

79 Lines Times, \$ 38.55

A public hearing will be held concerning any qualified proposals received and concerning the acceptance of the proposal as submitted by MidAmerican Energy Company, an Iowa corporation, for the acquisition of an electric underground easement in said property. Said public hearing will be at the regularly scheduled city council meeting in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on November 20, 2006, at 4:00 p.m., local time, or as soon thereafter as the matter can be reached for hearing. Published by order of the City Council of Sioux City, Iowa.

CITY OF SIOUX CITY, IOWA

BY: LISA L. McCARDLE

CITY CLERK

Published in the Sioux City Journal Nov. 11, 2006.

Legal #9787

The undersigned, of said County, being duly sworn, on oath states that the undersigned is an employee of THE SIOUX CITY JOURNAL, printed and published by Sioux City Newspapers, Inc., at Sioux City, in said County and issued daily and Sunday and that the annexed printed notice Central Urban Renewal Electric easement was regularly published in said newspaper for one consecutive Sat issues, the first publication thereof being on the 11 day of Nov, 2006.

Carolyn Pederson

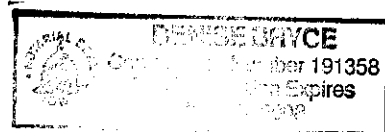
Carolyn Pederson

Subscribed and sworn to before me at Sioux City, in said County, this 14 day of Nov, 2006.

Denise Deyce

Notary Public

In and for Woodbury County.



STATE OF: Iowa
COUNTY OF: Woodbury
CITY OF: Sioux City
SECTION: 28
TOWNSHIP: 89
RANGE: 47
PROJECT NO: DR1682458

Prepared by and Return to: Kirk W. Maxfield Right-of-Way Services P.O. Box 778 Sioux City, IA 51102 (712) 277-7580.

MidAmerican Energy Company Electric Underground Easement

The undersigned owner (s), **CITY OF SIOUX CITY, A MUNICIPAL CORPORATION**, in consideration of \$1.00, hereby grant (s) to MidAmerican Energy Company, an Iowa corporation, its successors and assigns, a perpetual right-of-way easement, for the purpose of constructing, reconstructing, operating, maintaining and removing underground wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including the necessary appurtenances under and on the surface of the ground, together with the right of ingress and egress and the right to clear and keep clear from the property within the easement any buildings, plantings or other obstructions as may be necessary for the purposes for which this easement is granted, in, under, across and along the real estate located in the City of Sioux City, Woodbury County, Iowa described as follows:

Legal Description:

An electric easement over that part of Lot 4 and that part of the vacated East-West alley adjacent Lot 3 and Lot 4 all in Block 22, that part of Lot 12, Block 23 and that part of vacated Jennings Street lying between Block 22 and Block 23, all in Middle Sioux City an addition to Sioux City, Woodbury County, Iowa, easement area more particularly described as follows:

Easement Description:

Commencing at the Southeast corner of said Block 23; thence South 89°56'14" West along the South line of said Block 23, also being the South line of said Lot 12 of said Block 23 for 307.27 feet to the point of beginning; thence continuing South 89°56'14" West along said South line for 8.78 feet; thence North 75°45'00" West for 25.00 feet; thence North 51°09'26" West for 24.95 feet; thence North 25°05'00" West for 64.16 feet; thence North 0°32'00" East for 63.00 feet; thence North 16°14'00" West for 9.00 feet; thence South 90°00'00" West for 22.00 feet; thence North 0°00'00" East for 23.00 feet; thence North 90°00'00" East for 19.00 feet; thence South 0°00'00" East for 4.00 feet; thence South 63°06'00" East for 10.37 feet; thence South 16°14'00" East for 22.46 feet; thence South 0°32'00" West for 62.20 feet; thence South 25°05'00" East for 59.57 feet; thence South 51°09'28" East for 20.45 feet; thence South 75°45'00" East for 21.56 feet; thence North 89°56'14" East for 7.54 feet; thence South 0°00'00" East for 10.00 feet to the point of beginning.

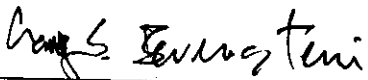
See Attached Exhibit "A" attached hereto and made a part hereof.

Damages to the undersigned, their successors and assigns, by the Company while constructing or maintaining said underground line shall be paid by the Company to the party damaged.

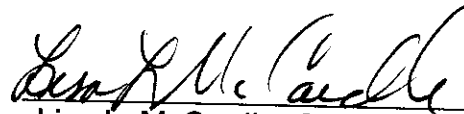
No building shall be constructed and/or changes shall be made in ground elevation by the grantor within the easement area without written permission from the Company indicating that said construction and/or ground elevation changes will not interfere with Company's rights to operate and maintain its facilities.

Signed, sealed and delivered this 20th day of November, 2006.

City of Sioux City



Craig S. Berenstein, Mayor



Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss
WOODBURY COUNTY)

On this 20th day of November, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Craig S. Berenstein and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2006-0825 passed on the 20th day of November, 2006, and that Craig S. Berenstein and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.



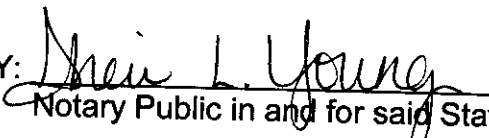
BY: 
Notary Public in and for said State

EXHIBIT "A"

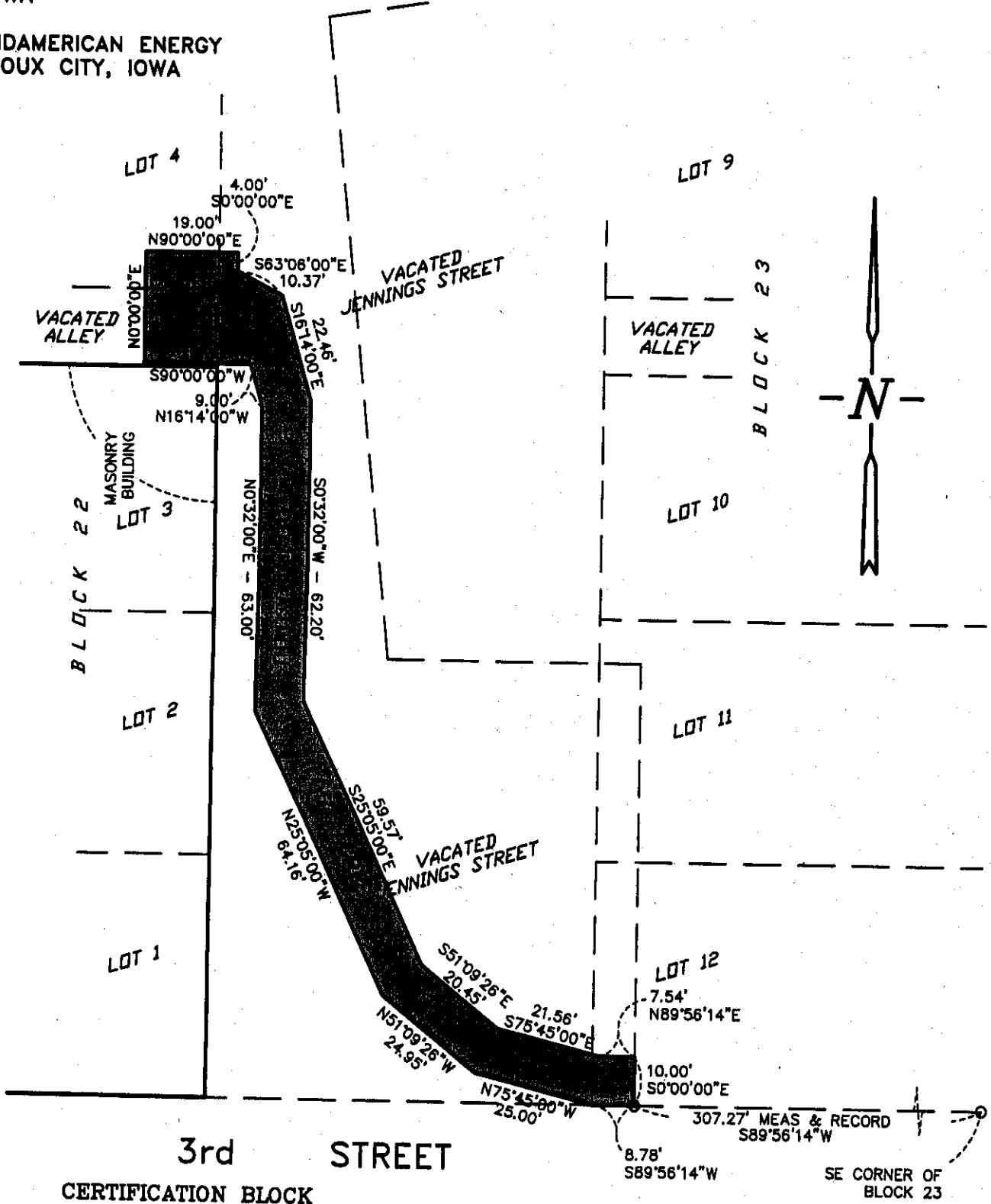
MLS & ASSOCIATES P.L.C. 201 BENSON BLDG SIOUX CITY, IA (712)258-6844

SHEET 1 OF 1

SURVEY #4285

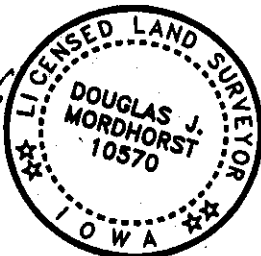
ELECTRIC EASEMENT IN PART OF BLOCK 22, PART OF THE VACATED EAST-WEST ALLEY IN BLOCK 22, PART OF BLOCK 23, AND PART OF VACATED JENNINGS STREET ADJACENT BLOCKS 22 & 23, MIDDLE SIOUX CITY, SIOUX CITY, WOODBURY COUNTY, IOWA

MIDAMERICAN ENERGY
SIOUX CITY, IOWA



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Douglas J. Mordhorst 10/23/06
 DOUGLAS J. MORDHORST
 LICENSE NUMBER 10570
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006
 THIS SHEET COVERED BY THIS SEAL
 PLOT DATE: OCTOBER 20, 2006



○ INDICATES FOUND PK NAIL UNLESS OTHERWISE INDICATED

SCALE: 1" = 30'

