City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Mike Pogge-Weaver, City Manager MJP-W

FROM: Randall M. Krauel, Director of Public Works RMK

DATE: August 21, 2019

SUBJECT: Interstate Power and Light Company Easement Request

Interstate Power and Light Company (Alliant Energy) has requested a permanent and a temporary easement on property owned by the City. The property is located in the North 400 Block of Grant Road. This location is illustrated on the attached photo and the easement descriptions are detailed in the attached easements.

The easement request is part of a larger 8-inch high pressure gas main project that was initiated earlier this summer on Pleasant Ridge Road. The gas main has been constructed from Pleasant Ridge Road along Grant Road to Anthony Street. At Anthony Street, construction was suspended due to utility conflicts on the planned alignment to 5th Street. The easement request is part of an alternate alignment.

The attached easements are marked PRELIMINARY. They have been reviewed by Staff and comments returned to the preparer. As of this time, the comments have not been addressed. A public hearing on granting the easements is required and notification has been published for August 26.

RECOMMENDATION: Mayor and City Council consideration, conduction of the required public hearing and delay of action on granting the easements until comments are satisfactorily addressed.

RMK:ds

attachments (4)

RESOLUTION NO. _____

RESOLUTION GRANTING AN EASEMENT
ACROSS CITY REAL ESTATE

WHEREAS, Interstate Power and Light Company is proposing to install a new natural gas main across City owned real estate; and,

WHEREAS, granting easements across City-owned real estate legally described as:

PERMANENT EASEMENT DESCRIPTION:

The West 20.00 feet of Lot 19 of the Irregular Survey of the Northwest Quarter of the Northwest Quarter of Section 30, Township 84 North, Range 34 West of the Fifth Principal Meridian, City of Carroll, Carroll County, Iowa and recorded in Book 2, Page 26. Easement is adjoining the Easterly Right of Way line of Grant Road and contains 403 square feet.

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

The East 10.00 feet of the West 30.00 feet of Lot 19 of the Irregular Survey of the Northwest Quarter of the Northwest Quarter of Section 30, Township 84 North Range 34 West of the Fifth Principal Meridian, City of Carroll, Carroll County, Iowa and recorded in Book 2, Page 26. Easement contains 202 square feet.

is determined appropriate; and,

WHEREAS, the public hearing on the proposed easements was conducted on August 26, 2019, after published notice thereof, and the City Council has given due consideration to objections and evidence for and against the proposed easements, as reflected by the record of the public hearing; and,

WHEREAS, the City Council has determined that the proposed easements are in the best interest of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carroll, Iowa, that a natural gas main easement across the above-stated real estate and a temporary construction easement across the above-stated real estate be granted to Interstate Power and Light Company for its use for good and valuable consideration, and the Mayor and City Clerk are authorized to execute the easements on behalf of the City.

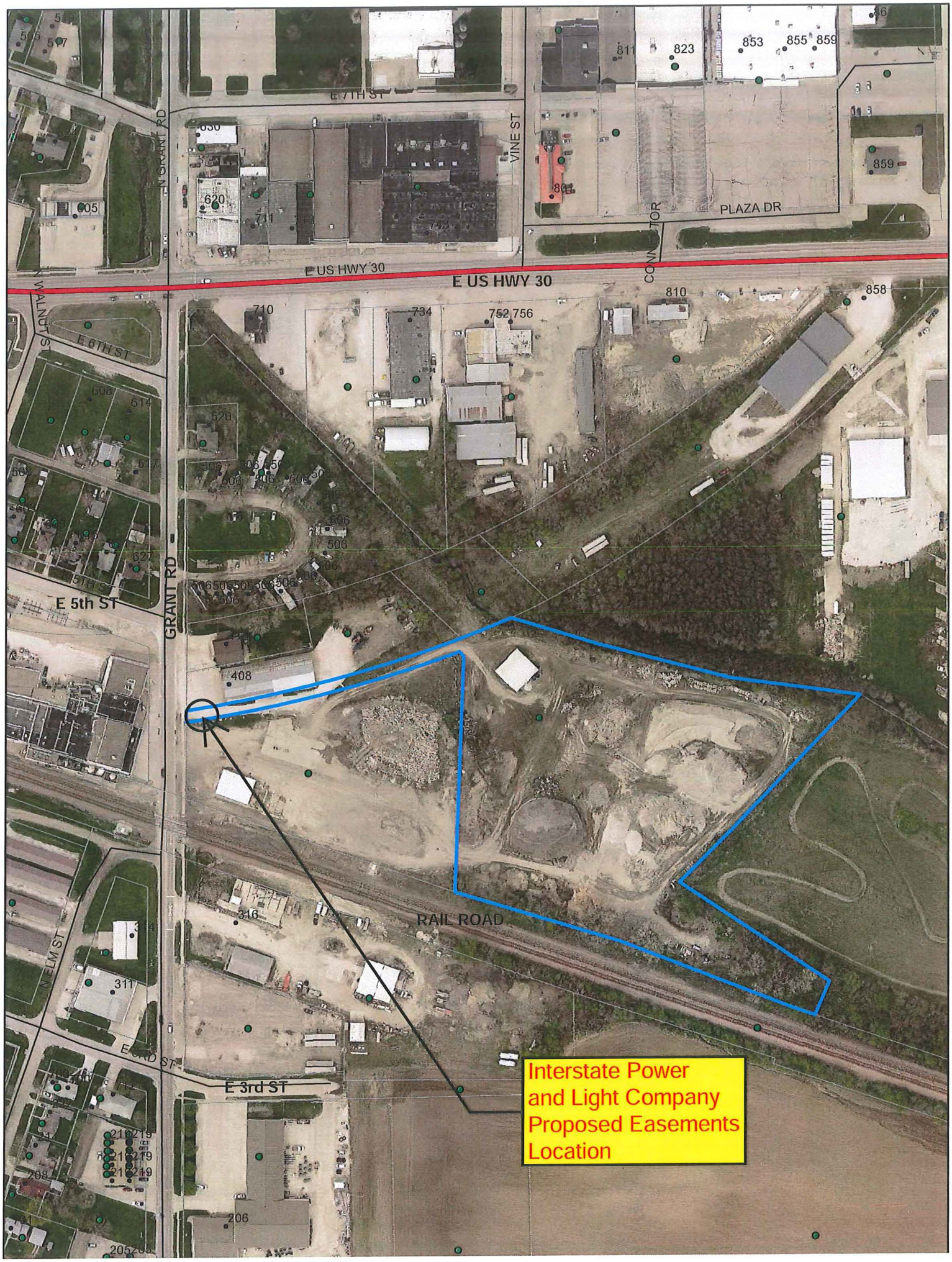
Passed and approved by the Carroll City Council this _____ day of _____, 2013.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

By: _____
Eric P. Jensen, Mayor

ATTEST:

By: _____
Laura A. Schaefer, City Clerk


E 7TH ST
N GRANT RD
VINE ST
PLAZA DR
CONNECTOR
E US HWY 30
E US HWY 30
WALNUT ST
E 6TH ST
E 5th ST
GRANT RD
RAIL ROAD
N ELM ST
E 3rd ST
Interstate Power
and Light Company
Proposed Easements
Location

PRELIMINARY

Prepared By: Jennifer McCracken – JCG Land Services, Inc. – 1715 S. G Avenue – Nevada, IA (515) 382-1698
Return To: Heather Dee – Interstate Power and Light Company – PO Box 351 – Cedar Rapids, IA (319) 786-4514

SAVE ABOVE THIS LINE FOR RECORDER

GAS PIPELINE EASEMENT

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, City of Carroll, Iowa ("Grantor(s)"), **112 E. 5th Street, Carroll, Iowa 51401** do(es) hereby warrant and convey unto Interstate Power and Light Company, an Iowa Corporation, its successor and assigns, ("Grantee"), a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, operate, repair, patrol and remove a pipeline or lines for the transportation and distribution of gas, steam and other substances, consisting of necessary fixtures, equipment and for communication and electrical controls, including the necessary appurtenances under and on the surface of the ground used or useful for all Corporate purposes, together with the power to extend to any other party the right to use, jointly with the Grantee and pursuant to the provisions hereof, upon, under, over and across the following described lands located in the County of Carroll, and the State of Iowa:

See Exhibit A attached hereto and made a part hereof.

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, operation, repair or the use thereof.

Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to said line or lines, over/under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, operating, patrolling, repairing and removing said line or lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), including crops, field tiles, terraces, fences, equipment or livestock of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, patrolling or repairing said line or lines.

Signed this _____ day of _____, 20____.

GRANTOR(S): City of Carroll, Iowa

By:_____

Print/Title:_____

By:_____

Print/Title:_____

ALL PURPOSE ACKNOWLEDGMENT

STATE OF_____)

COUNTY OF_____) ss:

On this _____ day of _____, AD. 20_____, before me, the undersigned, a Notary Public in and for said State, personally appeared

_____

_____

_____

_____to me personally known

or _____provided to me on the basis of satisfactory evidence

to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

NOTARY SEAL_____
(Sign in Ink)

_____
(Print/type name)

Notary Public in and for the State of _____

CAPACITY CLAIMED BY SIGNER

_____ INDIVIDUAL
_____ CORPORATE
Title(s) of Corporate Officers(s):

_____

_____

_____ N/A
_____ Corporate Seal is affixed
_____ No Corporate Seal procured

_____ PARTNER(s)
_____ Limited Partnership
_____ General Partnership

_____ ATTORNEY-IN-FACT
_____ EXECUTOR(s),
_____ ADMINISTRATOR(s),
_____ or TRUSTEE(s):
_____ GUARDIAN(s)
_____ or CONSERVATOR(s)
_____ OTHER

_____

_____

SIGNER IS REPRESENTING:
List name(s) of persons(s) or entity(ies):

_____

_____

PREPARED BY & RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA. 50111, PH: 369-4400 FAX: 369-4410

EXHIBIT 'A' - EASEMENT PLAT

OWNER

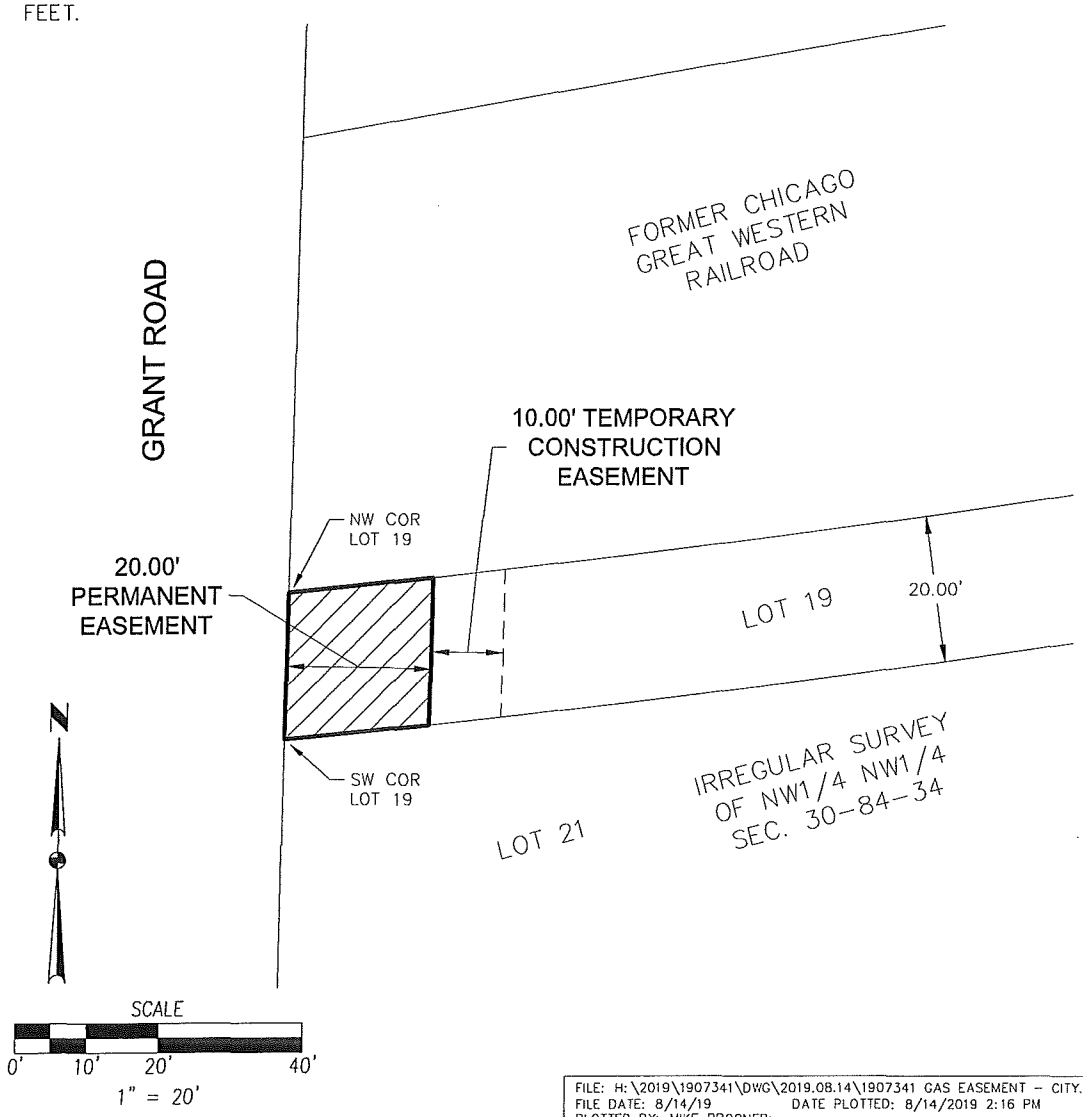
CITY OF CARROLL

PERMANENT EASEMENT DESCRIPTION

THE WEST 20.00 FEET OF LOT 19 OF THE IRREGULAR SURVEY OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 34 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CARROLL, CARROLL COUNTY, IOWA AND RECORDED IN BOOK 2, PAGE 26. EASEMENT IS ADJOINING THE EASTERLY RIGHT OF WAY LINE OF GRANT ROAD AND CONTAINS 403 SQUARE FEET.

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

THE EAST 10.00 FEET OF THE WEST 30.00 FEET OF LOT 19 OF THE IRREGULAR SURVEY OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 34 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CARROLL, CARROLL COUNTY, IOWA AND RECORDED IN BOOK 2, PAGE 26. EASEMENT CONTAINS 202 SQUARE FEET.



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FILE DATE: 8/14/19 DATE PLOTTED: 8/14/2019 2:16 PM
PLOTTED BY: MIKE BROONER:

1/1
1907.341

PT. LOT 19 IRREGULAR SURVEY
NW1/4 NW 1/4 SEC. 30-84-34
EASEMENT PLAT
CARROLL, IOWA

CIVIL DESIGN ADVANTAGE

3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: (515) 369-4400 Fax: (515) 369-4410

PRELIMINARY

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Return To: Heather Dee – Interstate Power and Light Company – PO Box 351 – Cedar Rapids, IA (319) 786-4514

SPACE ABOVE THIS LINE FOR RECORDER

TEMPORARY CONSTRUCTION AND ACCESS EASEMENT

For and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, City of Carroll, Iowa ("Grantor(s)"), **112 E. 5th Street, Carroll, Iowa 51401** do(es) hereby warrant and convey unto Interstate Power and Light Company, an Iowa Corporation, "(Grantee"), its successor and assigns, a temporary construction and access easement with the right, privilege and authority of ingress and egress and to perform construction activities, together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, over and across the following described lands located in the County of Carroll, and the State of Iowa:

See Exhibit A attached hereto and made a part hereof.

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose. This right shall continue during the following period: August 15, 2019 – November 15, 2019.

Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantee agrees to pay to the Grantor or his tenants all damages done to the lands, fences, livestock or crops of the Grantor or his tenants, by the Grantee or its employees while utilizing such access.

Signed this _____ day of _____, 20___.

GRANTOR(S): City of Carroll, Iowa

By:_____

Print/Title:_____

By:_____

Print/Title:_____

ALL PURPOSE ACKNOWLEDGMENT

STATE OF_____)

COUNTY OF_____) ss:

On this _____ day of _____, AD. 20__, before me, the undersigned, a Notary Public in and for said State, personally appeared

_____

_____

_____

_____to me personally known

or _____provided to me on the basis of satisfactory evidence

to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

NOTARY SEAL_____
(Sign in Ink)

_____
(Print/type name)

Notary Public in and for the State of _____

My Commission Expires: _____

CAPACITY CLAIMED BY SIGNER

_____ INDIVIDUAL
_____ CORPORATE
Title(s) of Corporate Officers(s):

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_____ Corporate Seal is affixed
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_____ or CONSERVATOR(s)
_____ OTHER

_____

_____

SIGNER IS REPRESENTING:
List name(s) of persons(s) or entity(ies):

_____

_____

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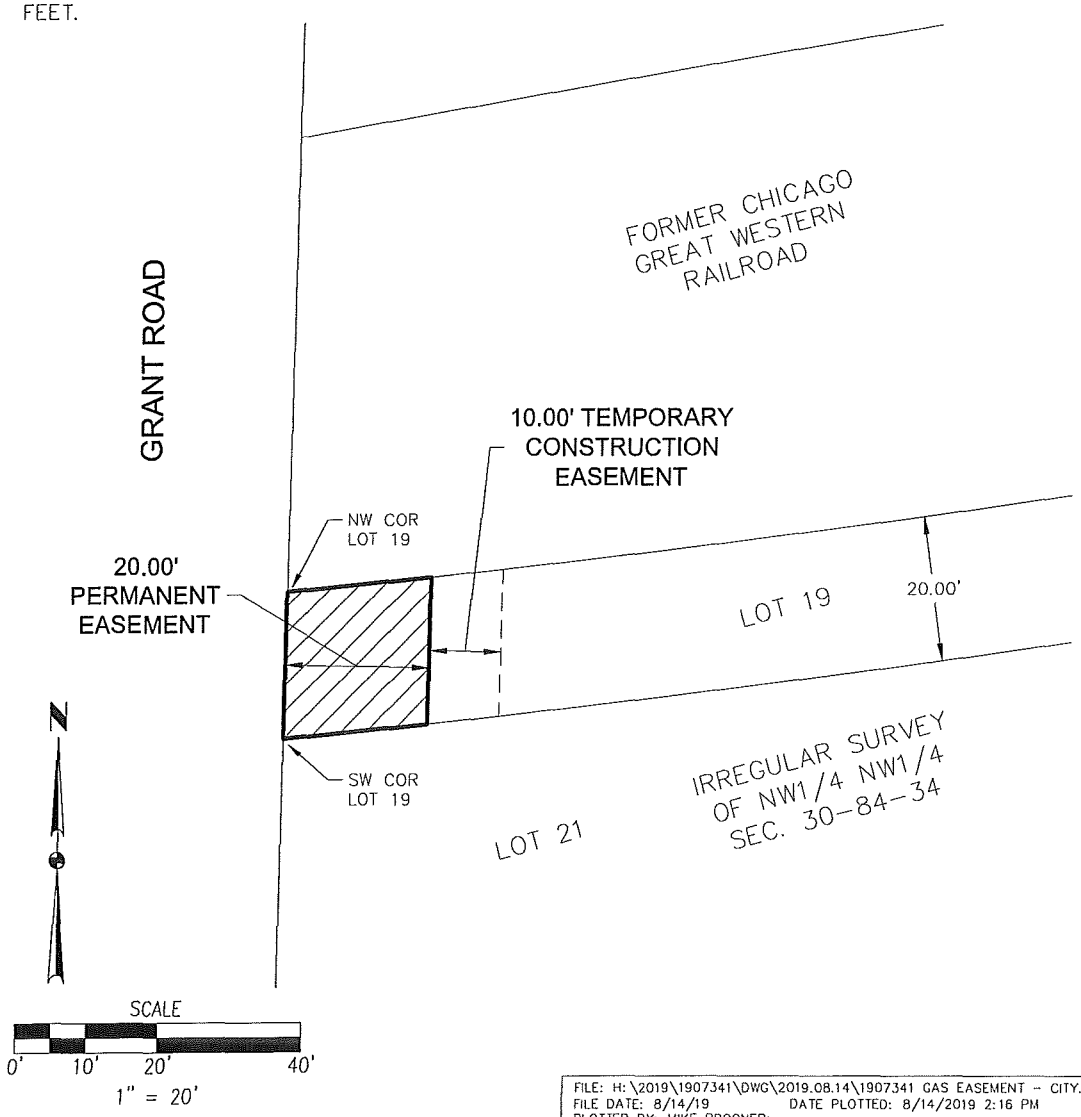

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