

**November 3, 2014**

**To: Mayor Bemrich and City Council**  
**From: David Fierke, City Manager**  
**Subject: Acquisition of Permanent Easement  
East Region Storm Sewer Project  
Phase 1**



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**ACTION: For Vote Monday, November 10, 2014**

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**Brief History**

The plans and specifications for the East Region Storm Sewer Project have been completed by Snyder and Associates.

**Analysis of Issue**

Permanent easements are needed in order to complete the project.

**Budget Impact**

The following has been negotiated with the property owner:

|                        |   |            |
|------------------------|---|------------|
| Colby Investment Trust | 115 South 29 <sup>th</sup> Street                       | \$2,378.38 |
|                        | 3,397.68 sf Permanent Utility Easement<br>(MidAmerican) |            |

**Strategic Plan Impact**

Policy D.4.2: Advanced planning for all infrastructure facilities shall be supported and routinely updated. Facilities benefited by advanced planning shall include, at minimum, schools, health care, residential areas, roads, water, sewer, storm water management, parks, recreation, and greenways.

**Existing Plan Impact**

Consistent with Capital Improvement Plan and Envision 2030 Plan.

**Subcommittee or Commission Review / Recommendation**

None

**Staff Conclusions / Recommendations**

Staff recommends the approval of the above-listed interest in real estate needed for this project.

**Alternatives**

The only alternative would be to not acquire the right-of-way and delay the project, but it is not recommended.

**Implementation and Accountability**

If approved, documents will be signed with the affected property owner.

Signed



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Vickie L. Reeck,  
Community Development Manager

Approved



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David R. Fierke, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING THE ACQUISITION OF AN INTEREST IN REAL PROPERTY FOR THE EAST REGION STORM SEWER PROJECT**

WHEREAS, plans and specifications for the East Region Storm Sewer Project have been prepared by Snyder and Associates; and,

WHEREAS, the acquisition of interests in real property are needed in order to complete the project; and,

WHEREAS, the following has been negotiated with the owner:

|                        |   |            |
|------------------------|---|------------|
| Colby Investment Trust | 115 South 29 <sup>th</sup> Street                       | \$2,378.38 |
|                        | 3,397.68 sf Permanent Utility Easement<br>(MidAmerican) |            |

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Dodge, Iowa, hereby approve the acquisition of the above-referenced interest in real estate needed for this project.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Other: \_\_\_\_\_

CITY OF FORT DODGE, IOWA

By: \_\_\_\_\_

Matt Bemrich, Mayor

ATTEST:

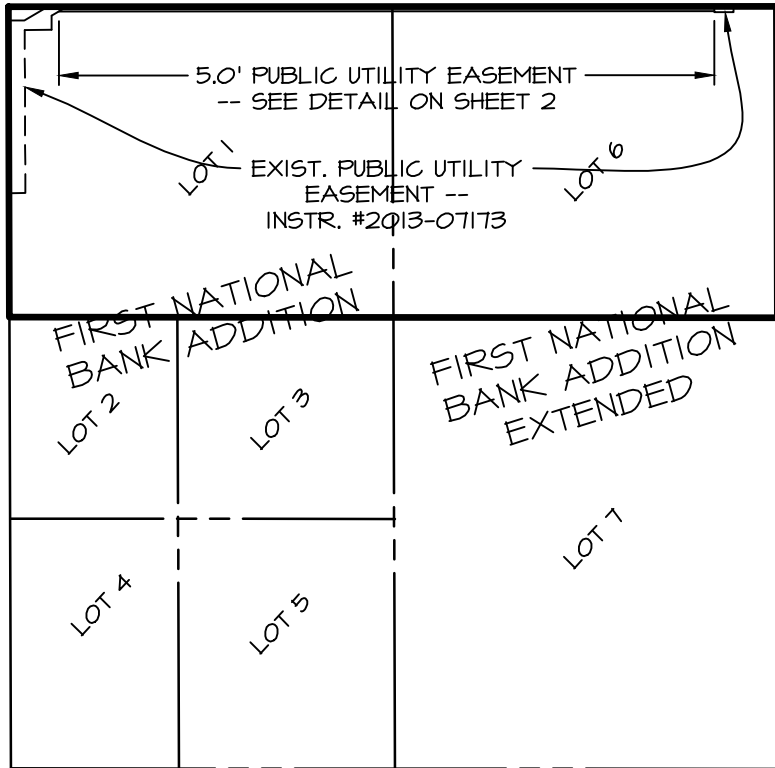
\_\_\_\_\_  
Jeff Nemmers, City Clerk

R-28W

1st Ave. South

T-89N

S29th St.




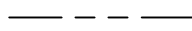

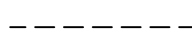

**PROPERTY DESCRIPTION**

LOT 1 OF FIRST NATIONAL BANK, ADDITION TO FORT DODGE, IOWA,  
AND,  
LOT 6 OF FIRST NATIONAL BANK ADDITION, EXTENDED, TO FORT DODGE, IOWA ALL IN  
WEBSTER COUNTY, IOWA.

**EASEMENT DESCRIPTION**

SEE SHEET 2 OF 2

**LEGEND**

-  PARCEL BOUNDARY LINE
-  SECTION LINE & 1/4 SECTION LINE
-  1/4, 1/4 SECTION LINE
-  EXIST. PUBLIC UTILITY EASEMENT
-  PROPOSED PUBLIC UTILITY EASEMENT

**OWNER**

THE CHARLES I. COLBY AND RUTH  
COLBY INVESTMENT TRUST

**EASEMENT AREA**

.08± ACRES

NORTH



MIDAMERICAN ENERGY COMPANY

WEBSTER COUNTY  
SECTION 21, T-89N, R-28W

DRAWN BY: MMD DATE: 10-20-14

CHECKED: MMD SCALE: 1" = 200'

APPROVED:

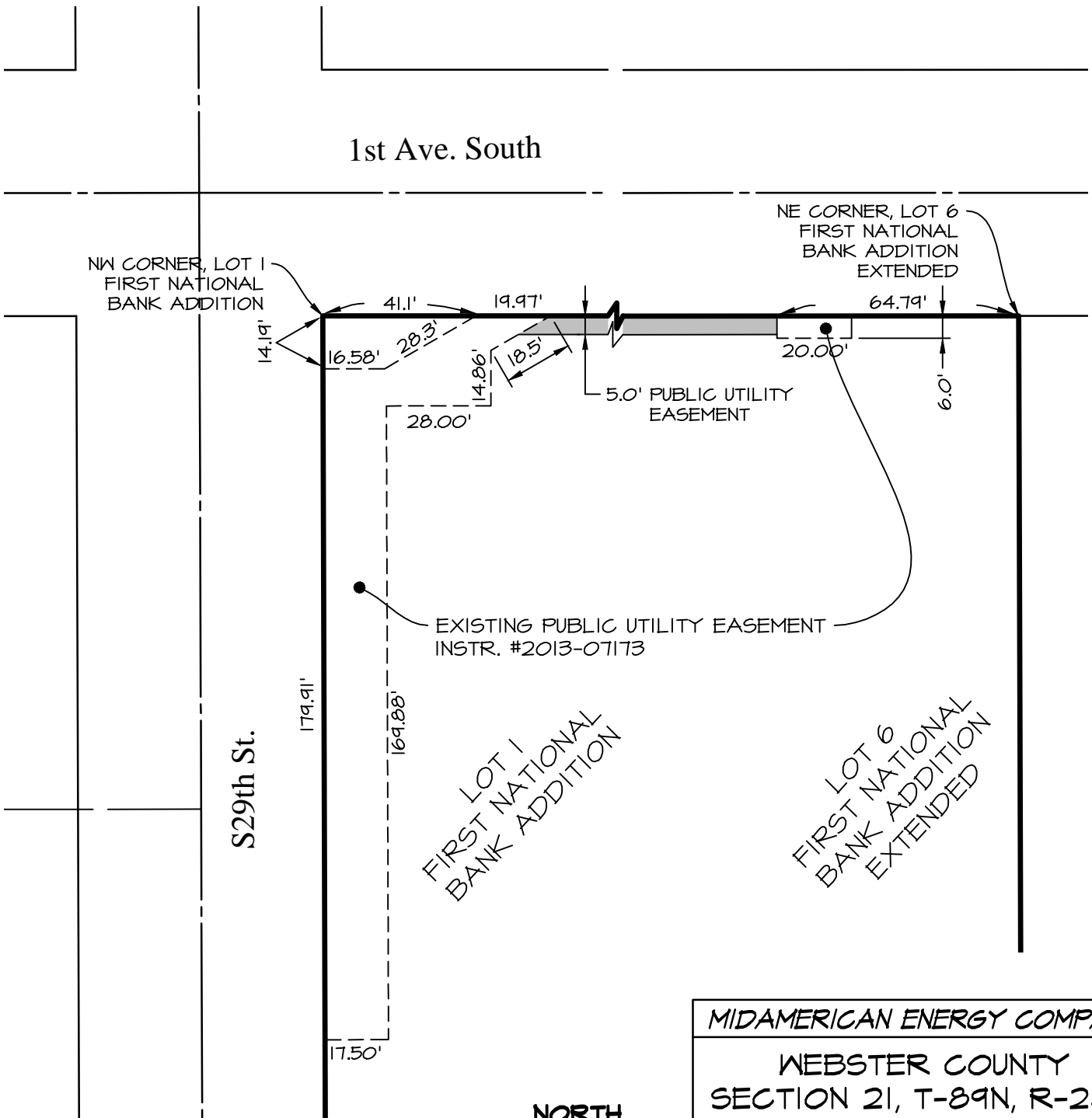
**EXHIBIT "A"**

SHEET 1 OF 2

WEB-016.001

# PUBLIC UTILITY EASEMENT DESCRIPTION

THE NORTH 5.0 FEET OF LOT 6 OF THE FIRST NATIONAL BANK ADDITION, EXTENDED, TO FORT DODGE, IOWA ALL IN WEBSTER COUNTY, IOWA, EXCEPT THE EAST 64.79 FEET THEREOF,  
 AND,  
 THE NORTH 5.0 FEET OF LOT 1 OF FIRST NATIONAL BANK, ADDITION TO FORT DODGE, IOWA, LYING EAST OF A PUBLIC UTILITY EASEMENT RECORDED IN INSTRUMENT NO. 2013-07173 IN THE WEBSTER COUNTY RECORDER'S OFFICE.  
 SAID EASEMENT CONTAINS 0.078 ACRES, MORE OR LESS.



MIDAMERICAN ENERGY COMPANY

WEBSTER COUNTY  
 SECTION 21, T-89N, R-28W

DRAWN BY: MMD DATE: 10-20-14

CHECKED: MMD SCALE: 1" = 40'

APPROVED:

**EXHIBIT "A"**

WEB-016.001

SHEET 2 OF 2

**OWNER**  
 THE CHARLES I. COLBY AND  
 RUTH COLBY INVESTMENT TRUST

