

Date July 15, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC EASEMENT IN CITY PROPERTY LOCATED SOUTH OF INTERSTATE 235 BETWEEN 2ND AVENUE AND THE DES MOINES RIVER TO MIDAMERICAN ENERGY COMPANY

WHEREAS, an underground electric transmission line is needed across a portion of City-owned property located south of Interstate 235 between 2nd Avenue and the Des Moines River (“Property”) in order to provide electrical service to the Lauridson Skate Park located on adjacent Polk County property, and thus MidAmerican Energy Company has requested an underground electric easement (“Easement”) across said City-owned property in consideration of the utility service made available to the City therein; and

WHEREAS, said Easement is required in order to provide electrical service to the Lauridson Skate Park, and Polk County supports the granting of said Easement; and

WHEREAS, the City of Des Moines, Iowa (“City”) and the public will not be inconvenienced by the conveyance of said Easement to MidAmerican Energy Company.

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 an underground electric easement to MidAmerican Energy Company across a portion of City-owned property south of Interstate 235 between 2nd Avenue and the Des Moines River to provide electrical service to the Lauridson Skate Park located adjacent to the Property, more specifically described below, in consideration of the utility service being provided therein:

Legal Description (Area A)

THE SOUTH 10.0 FEET OF THE WEST 65.0 FEET, AS MEASURED ALONG THE SOUTH LOT LINE, OF LOT 2, BLOCK C, RIVER HILLS PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SAID EASEMENT CONTAINS 629 SQUARE FEET, MORE OR LESS.

Legal Description (Area B)

THE NORTH 385.0 FEET OF THE WEST 10.0 FEET OF LOT 5, RIVER HILLS PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SAID EASEMENT CONTAINS 3,850 SQUARE FEET, MORE OR LESS.

2. A public hearing shall be held on August 5, 2019, 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.



Roll Call Number

Agenda Item Number

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Date July 15, 2019

4. There are no proceeds associated with this conveyance.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Handwritten signature of Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

_____ City Clerk

