

Date August 19, 2019

**SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC EASEMENT IN CITY PARKLAND LOCATED AT 5550 SOUTHEAST 19<sup>TH</sup> STREET (EWING PARK) TO MIDAMERICAN ENERGY COMPANY**

**WHEREAS**, an underground electric transmission line is needed across a portion of City parkland located at 5550 SE 19<sup>th</sup> Street within Ewing Park (“Property”) in order to provide electrical service to a City-owned telecommunications tower located within Ewing Park, and thus MidAmerican Energy Company has requested an underground electric easement (“Easement”) across and within said City parkland in consideration of the utility service made available to the City of Des Moines (“City”) therein; and

**WHEREAS**, said Easement is required in order to provide electrical service to the City-owned telecommunications tower within Ewing Park and the City’s Park and Recreation Department supports the granting of said Easement; and

**WHEREAS**, the 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 parkland located at 5550 SE 19<sup>th</sup> Street within Ewing Park in order to provide electrical service to a City-owned telecommunications tower located within Ewing Park, more specifically described below, in consideration of the utility service being provided to the City therein:

Legal Description

A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE 5<sup>TH</sup> P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, GENERALLY DEPICTED ON EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF, EASEMENT LOCATION TO BE 5 FEET ON EITHER SIDE OF ELECTRIC LINE AS CONSTRUCTED, AND SAID EASEMENT SHALL LIE TOTALLY WITHIN THE TOWER ACCESS AREA SHOWN ON SAID EXHIBIT “A”.

2. A public hearing shall be held on September 9, 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.

4. There are no proceeds associated with this conveyance.



**Roll Call Number**

**Agenda Item Number**

17

**Date** August 19, 2019

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lisa A. Wieland, Assistant City Attorney

*asn*

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

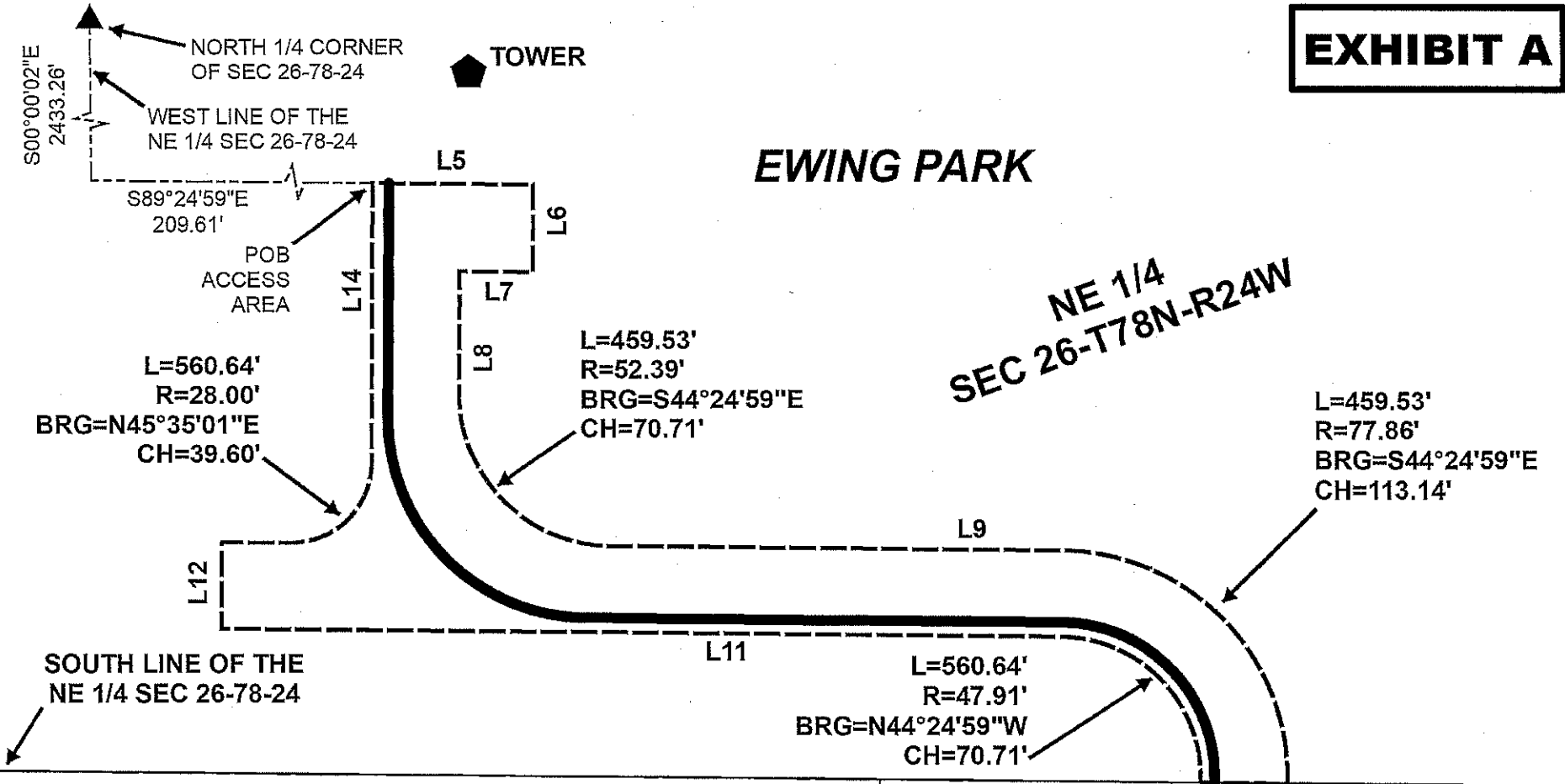
**CERTIFICATE**

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

**EXHIBIT A**



LINE TABLE		
LINE	DIRECTION	LENGTH
L5	S89°24'59"E	55.00'
L6	S00°35'01"W	30.00'
L7	N89°24'59"W	25.00'
L8	S00°35'01"W	45.00'
L9	S89°24'59"E	155.27'
L10	N89°24'59"W	30.00'
L11	N89°24'59"W	286.70'
L12	N00°35'01"E	30.00'
L13	S89°24'59"E	23.45'
L14	N00°35'01"E	97.00'

NOTE: DIMENSIONS PROVIDED BY MOTOROLA SOLUTIONS ON PLAN SHEET SUR-3

**PT LOT 58**

5630  
SE 19th  
St

**PT LOT 58**

5660  
SE 19th  
St

**LOT 59**

5635  
SE 19th  
St

**NEW HOPE**

**SE 19th St**



**Legend**

- Electric Line
- Tower Access Area

17

19

E Emma Ave

E McKinley Ave

Indianola Ave

SE 14th St

SE 14th St

**EASEMENT  
LOCATION**

**EWING PARK**



E Diehl Ave

Hart Ave

SE 19th St

SE 16th Ct

E Leland Ave

E Army Post Rd

