

★ Roll Call Number  
14-0047

Agenda Item Number  
24

Date January 13, 2014

**SET HEARING FOR CONVEYANCE OF A PERMANENT UNDERGROUND ELECTRIC LINE EASEMENT ON CITY-OWNED PROPERTY EAST OF SE 12<sup>TH</sup> STREET AND NORTH OF EAST MARTIN LUTHER KING, JR. PARKWAY TO MIDAMERICAN ENERGY COMPANY FOR \$1**

**WHEREAS**, an underground electric transmission line is needed for electric service for the relocation of a railroad crossing signal in the vicinity of SE 12<sup>th</sup> Street and East Martin Luther King, Jr. Parkway as required for the Southeast Connector Project, and thus MidAmerican Energy Company has requested an electric line easement across City-owned property to provide the relocated service; and

**WHEREAS**, the City of Des Moines needs to grant the requested easement to provide electrical service for the relocated railroad crossing signal as required by the City's Southeast Connector Project.

**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 line easement to MidAmerican Energy Company across a portion of the City-owned property east of SE 12<sup>th</sup> Street and north of East Martin Luther King, Jr. Parkway to provide electrical service for the relocation of a railroad crossing signal for the City's Southeast Connector Project, legally described below, for \$1 and in consideration of the utility service being provided due to the City's Project:

A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF BLOCK 22 IN ALLEN'S 2<sup>ND</sup> ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EASEMENT LOCATION TO BE 5 FEET ON EITHER SIDE OF ELECTRIC LINE AS CONSTRUCTED.

2. A public hearing will be held on January 27, 2014, 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 will be no proceeds associated with the conveyance of this easement.

APPROVED AS TO FORM:

Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

Moved by Hensley to adopt.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			

**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.

T. M. Franklin Mayor

Diane Rauh City Clerk